Institute for Research on Public Policy • Institut de recherches politiques • Institute for Research on Public Policy • Institut de recherches politiques • Institute for Research on Public Policy • Institut de recherches politiques •

92-04520/

INTERNATIONAL ADOPTION IN CANADA: PUBLIC POLICY ISSUES

by

Kathryn McDade
Studies in Social Policy
Institute for Research on Public Policy

April 1991

The Institute acknowledges the financial support of the Donner Canadian Foundation

The research for this study was completed in May 1989. The study was updated in February 1991.

TABLE OF CONTENTS

		Page
Acknowledgements		vii
Executive Summary		ix
Sommaire		xiii
Introduction		1
Part One	**International Adoption: A Review of the Literature**	5
	Socio-political Analysis	5
	Adjustment Studies	6
Part Two	**The History and Current Practice of International Adoption World-wide**	9
Part Three	**History of Adoption in Canada**	15
Part Four	**International Adoption in Canada: Data Summary**	19
Part Five	**International Adoption Procedures**	29
	Adoptions Completed in Canada	29
	(A) Procedures Outside the Province of Québec	29
	(i) National Adoption Desk	30
	(ii) Provincial Adoption Legislation	32
	(iii) Immigration Act	35
	(iv) Other Actors	35
	(B) Procedures Within Québec	36
	Adoptions Completed Abroad	38
	(A) Procedures Outside the Province of Québec	38
	(B) Procedures Within Québec	40
Part Six	**The Romanian Case**	43
Part Seven	**Concluding Comments**	47
	International Adoptions Completed in Canada	47
	Adoptions Completed Outside Canada	48
	Private Actors	49
	Gaps in Current Knowledge	50
Endnotes		53
References		55

ACKNOWLEDGEMENTS

Representatives of the federal and provincial governments and of non-governmental organizations made a significant contribution to this study through the provision of relevant literature and data. Several individuals were especially generous in sharing their knowledge of the history and current practice of international adoption:

Pamela Daniel
Coordinator, International Orphan Adoptions, National Adoption Desk,
Health and Welfare Canada;

Rita Markland, M.S.W.
Executive Director, International Social Service Canada;

Jim May
Acting Director, Immigrant Programs, Employment and Immigration Canada;

Mildred Morton
Acting Director, Immigration Policy, Policy and Program Development, EIC; and

Derek White
Director, National Adoption Desk, Health and Welfare Canada.

I would like to thank Shirley B. Seward, Director of the Studies in Social Policy Program, for her comments on an earlier draft and Leigh McGowan and Chrystine Frank for processing the manuscript.

EXECUTIVE SUMMARY

Provincial and federal governments face continual pressure to make international adoption easier for Canadian parents wishing to adopt a child born outside Canada. The prospect of increased international adoption was initially viewed as an offset to declining fertility by several academics and policy makers. However, more recent research suggests that international adoption at feasible levels can have little long-term impact on the size and age structure of the Canadian population. Efforts to increase international adoption would therefore seem to be motivated, not by demographic objectives, but by humanitarian concern for orphaned and abandoned children, and by the declining availability of prospective adoptive Canadian-born babies.

In this context the objectives of this discussion paper are: first, to explore what we know about the practice of international adoption in Canada; and second, to pose the policy questions which should inform further public debate on this issue.

A review of the literature suggests that Canadian researchers have yet to explore any of the vital questions raised by the practice of international adoption. Writers in other countries have expressed concern about the exploitative implications of transferring children from less affluent to more affluent countries around the globe. These authors view the practice as counter-productive to finding long-term solutions to the problems of nations unable to care for children displaced as a result of war, rapid industrialization and/or poverty.

A second type of international adoption research has assessed the psychological and social adjustment of intercountry adoptees relative to children adopted in their own country of birth. The findings of these British and American studies were largely favourable. At the time of writing this paper, two Canadian researchers were assessing the feasibility of replicating these adjustment studies using a national sample of international adoptees and their families.

Part two describes the history of international adoption world-wide. The practice first became popular in Europe in the aftermath of the Second World War and Korean War, both of which displaced large numbers of children. In the 1970s children from the war-torn countries of Southeast Asia also became prominent in international adoption. Most recently, the breakdown of the traditional extended family combined with extreme poverty have made several Latin American countries a source of international adoptees.

The world-wide popularity of international adoption has attracted the attention of the United Nations and the Hague Conference on Private International Law. The deliberations of these bodies are assessed in terms of their potential impact on Canadian policy making on matters related to international adoption.

The United Nations Convention on the Rights of the Child states that international adoption is to be treated as a last resort in cases where there is no suitable means of caring for the child in his or her own country. Safeguards accorded the international adoptee are to be equivalent to those established for adoption within the country. The Hague Conference has taken a similar view in suggesting a coordinated global response to international adoption in which both sending and receiving countries would assume responsibility for protecting the best interests of the child. To participate in the type of adoption convention envisaged by the Hague, Canada would be required to implement significant revisions to the policies and administrative procedures which currently govern international adoption.

Canada's involvement in international adoption reflects a decline in the number of Canadian-born children available for adoption by Canadian parents. The incidence of domestic adoption in Canada peaked between 1969 and 1971 and has since declined on the basis that unmarried mothers are increasingly reluctant to make their babies available for adoption.

There has been no systematic attempt to monitor the incidence of international adoption by Canadian parents. However, a review of several data sources suggests that although international adoption is becoming more common, it still comprises an almost negligible component of Canada's total annual immigration flow. Over the course of the past decade a majority of children have come from Asian countries, most notably South Korea. The largest number settled in Québec, followed by Ontario and British Columbia.

International adoption is a procedurally complex issue which typically involves the following actors: provincial child welfare authorities and/or provincial courts; the federal Department of Employment and Immigration; and the National Adoption Desk of Health and Welfare Canada. There are significant differences in the process according to whether the child is legally adopted abroad or is brought to Canada for the purpose of completing an adoption here. Regardless of the type of adoption, practices in Québec are much different from practices in the other provinces of Canada.

With the exceptions of Québec and Manitoba, the provinces have not made significant legislative provision for the special circumstances of international adoption. As a matter of policy, some provinces allow private agencies to assist parents in the search abroad for an adoptive child, and in the completion of the home study required by the courts for finalization of an adoption in Canada. In Québec a provincial bureau coordinates all international adoptions completed in the province, and must be informed by prospective parents of their intention to bring a foreign-born child into the province. Home studies may no longer be completed by a private agency in the province.

In the case of adoptions completed outside of Canada prior to the child's immigration, there is minimal supervision of the process by either provincial or federal officials. Parents in Manitoba are required by legislation to notify child welfare officials of an adoption completed abroad. Residents of Québec must submit an adoption decree obtained abroad to the Youth Protection Court in order for the adoption to be recognized by the province. Parents in provinces other than Québec and Manitoba are generally able to complete adoptions abroad without the involvement of child welfare officials if they are willing and able to have a home study completed privately. Employment and Immigration

Canada is in the process of determining regulations which would require oversight of all adoptions completed abroad by an independent agency concerned with child welfare.

The final part of this paper reviews the chronology of recent events in Romania, which has become a prominent source of international adoptees over the course of the past year. As a topical case study, the Romanian situation highlights ambiguities and oversights in the current Canadian approach to international adoption.

In concluding comments the author suggests those aspects of international adoption which most urgently require the attention of policy makers:

- Canada's obligations as a signatory to the United Nations Convention on the Rights of the Child and participant in the Hague Conference on Private International Law;
- the responsibilities and accountability of both private and public professionals with respect to the completion of home studies for prospective adoptive parents;
- the role and accountability of private actors involved in locating and negotiating the adoption of children abroad; and
- the need for oversight of adoptions completed abroad by an independent agency concerned with child welfare.

SOMMAIRE

Les gouvernements, tant fédéral que provinciaux, subissent des pressions constantes en vue de faciliter l'adoption internationale, de la part de parents canadiens désireux d'adopter un enfant de nationalité étrangère. Maints universitaires et décideurs estimaient à l'origine qu'une adoption internationale accrue pourrait compenser la baisse du taux de fécondité. Depuis lors, cependant, les recherches portent à croire que l'adoption internationale, toutes proportions gardées, n'aurait guère d'effet à long terme sur la taille ou la structure par âge de la population canadienne. L'augmentation de l'adoption internationale devrait donc se fonder d'une part sur des considérations d'ordre non pas démographique mais bien humanitaire à l'endroit des enfants orphelins ou abandonnés, et d'autre part, sur la pénurie croissante d'enfants canadiens à adopter.

Dans cette optique, le présent document aura deux objectifs : tout d'abord l'examen de ce que nous savons en pratique de l'adoption internationale au Canada, et ensuite la définition des orientations qui devraient guider le débat public sur cette question.

Le recensement des travaux publiés sur ce sujet donne à penser que les chercheurs canadiens n'ont encore exploré aucune des questions essentielles que soulève l'adoption internationale. À l'étranger, certains auteurs ont dénoncé le caractère opportuniste des transferts d'enfants des pays pauvres aux pays riches de la planète. Ces auteurs estiment qu'une telle pratique compromet la recherche de solutions à long terme aux problèmes des pays qui ne peuvent prendre soin de leurs enfants par suite d'une guerre, d'une industrialisation trop soudaine ou de la pauvreté.

D'autres chercheurs ont comparé l'adaptation socio-psychologique des enfants adoptifs d'origine étrangère à celle des enfants adoptés dans leur propre pays. Les résultats de ces études britanniques et américaines étaient plutôt positifs. Au moment de rédiger le présent document, deux chercheurs canadiens évaluaient la possibilité de reprendre cette étude de l'adaptation à partir d'un échantillon national d'enfants adoptifs d'origine étrangère et de leurs familles d'adoption.

La seconde partie fait l'historique de l'adoption internationale dans le monde. Cette pratique s'est d'abord répandue en Europe, à l'issue de la Seconde guerre mondiale et de la guerre de Corée qui avaient entraîné l'une et l'autre de vastes déplacements d'enfants. Lors des années 1970, le Sud-Est asiatique, déchiré par la guerre, a fourni à son tour à l'adoption internationale un fort contingent d'enfants. Plus récemment encore, un grand nombre de pays d'Amérique latine sont devenus sources d'approvisionnement de l'adoption internationale, par suite de l'effritement de la famille étendue traditionnelle et de l'extrême pauvreté.

La popularité mondiale de l'adoption internationale a attiré l'attention des Nations Unies et de la Conférence de la Haye de droit international privé. Nous ne retiendrons des délibérations de ces deux organisations que ce qui peut être pertinent à l'élaboration de politiques canadiennes en matière d'adoption internationale.

La Convention des Nations Unies sur les droits de l'enfant stipule que l'adoption internationale ne doit intervenir qu'en dernier ressort, lorsqu'on ne peut trouver aucun autre moyen convenable de subvenir aux besoins de l'enfant dans son propre pays. L'enfant ainsi adopté doit bénéficier de la même protection que celle qui régit l'adoption dans le pays d'accueil. La Conférence de la Haye s'est prononcée dans le même sens en préconisant une coordination mondiale de l'adoption internationale aux termes de laquelle le pays d'origine et le pays d'accueil se partageraient la responsabilité de la protection de l'intérêt de l'enfant. S'il voulait souscrire au protocole d'adoption envisagé par la Haye, le Canada devrait sensiblement modifier ses politiques et ses procédures actuelles touchant l'adoption internationale.

L'adoption internationale au Canada résulte de la diminution du nombre d'enfants canadiens à adopter. L'adoption nationale au Canada a atteint son plus haut niveau entre 1969 et 1971 et a diminué depuis lors, par suite de la réticence croissante des mères célibataires à consentir à l'adoption de leur enfant.

Le taux d'adoption internationale au Canada n'a jamais fait l'objet d'un contrôle suivi. Cependant, l'analyse des données en provenance de multiples sources indique que l'adoption internationale, si elle tend à se développer, ne représente toujours qu'une infime portion du taux d'immigration annuel au Canada. Depuis dix ans, la majorité des enfants adoptés proviennent d'Asie, notamment de Corée du Sud. Le Québec en accueille le plus grand nombre, suivi de l'Ontario et de la Colombie-Britannique.

L'adoption internationale implique une procédure complexe dont les intervenants habituels sont : les autorités provinciales chargées de la protection de l'enfance ou les tribunaux provinciaux, le ministère fédéral de l'Emploi et de l'Immigration et le Bureau national d'adoption de Santé et Bien-être social Canada. La procédure peut varier considérablement selon que l'enfant ait été adopté légalement à l'étranger ou qu'il ait été amené au Canada aux fins d'adoption sur place. Quel que soit le type d'adoption, la pratique établie au Québec diffère sensiblement de celle des autres provinces canadiennes.

À l'exception du Québec et du Manitoba, les provinces ne se sont pas vraiment dotées de mesures particulières touchant l'adoption internationale. Certaines provinces ont pour politique de permettre à des agences privées d'aider les parents à trouver un enfant adoptif à l'étranger et à compléter l'évaluation familiale requise par les tribunaux canadiens, pour émettre une ordonnance d'adoption. Au Québec, un bureau provincial coordonne toutes les adoptions internationales accordées dans la province et doit être informé à l'avance, par les adoptants éventuels, de leur intention de faire venir dans la province un enfant né à l'étranger. Quant aux évaluations familiales, elles ne peuvent plus être confiées à une agence privée.

Dans le cas des adoptions prononcées à l'étranger avant l'immigration de l'enfant, l'intervention des autorités fédérales ou provinciales est minime. Au Manitoba, la loi oblige les parents à aviser les autorités chargées de la protection de l'enfance de toute adoption accordée à l'étranger. Les résidents du Québec doivent, pour que la province reconnaisse l'adoption, soumettre au Tribunal de la protection de la jeunesse une ordonnance d'adoption obtenue à l'étranger. Dans les provinces autres que le Québec et le Manitoba, les parents peuvent généralement adopter un enfant à l'étranger sans passer par les agents de la protection de la jeunesse, pourvu qu'ils consentent à une évaluation familiale privée. Emploi et Immigration Canada est à mettre au point une série de règlements plaçant toutes

les adoptions obtenues à l'étranger sous la surveillance d'un organisme de la protection de l'enfance indépendant.

La dernière partie du présent document relate la chronologie des récents événements en Roumanie, devenue, depuis un an, une importante source d'approvisionnement de l'adoption internationale.

En conclusion, l'auteur signale à l'attention des responsables de l'action gouvernementale certains aspects de l'adoption internationale à explorer d'urgence :

- Les engagements du Canada en tant que signataire de la Convention des Nations Unies sur les droits de l'enfant et participant à la Conférence de la Haye de droit privé international;

- les responsabilités et l'obligation de rendre compte des professionnels de la protection de l'enfance, tant des secteurs public que privé, quant à l'évaluation familiale des adoptants éventuels;

- le rôle et l'obligation de rendre compte des agents privés chargés de trouver des enfants et de négocier leur adoption à l'étranger et

- la nécessité de confier à un organisme de la protection de l'enfance indépendant la surveillance des adoptions conclues à l'étranger.

INTRODUCTION

International adoption, also referred to as intercountry adoption, occurs where the habitual residences of the adopter(s) and the child are located in different countries. This study of the practice of international adoption in Canada was prompted by several recent instances in which international adoption has been the subject of comment by federal politicians and senior policy makers.

Most recently, the Canada Employment and Immigration Advisory Council recommended that the federal government give serious consideration to making foreign adoptions easier in order to increase the proportion of younger persons in the total Canadian immigration intake (Canada, Employment and Immigration Advisory Council 1990, 3). The Council made a similar recommendation in a 1988 report to the Minister (Canada, Employment and Immigration Advisory Council 1988, 13). The Council's 1988 recommendation was based on "humanitarian and demographic" reasons. In its more recent analysis of international adoption the Council acknowledges that "foreign adoptions may not make much of a dent in the demographic ratio of dependency". However, the Council does reiterate its concern that the demand for international adoption has grown while the process has remained "cumbersome and to many potential parents, very frustrating".

The Council's initial preoccupation with the demographic implications of international adoption reflected a concern articulated by the House of Commons Standing Committee on Labour, Employment and Immigration in a 1985 report. The Committee recommended that immigration policy be used in the future to smooth out the "current age imbalance of the population" (Canada, House of Commons 1985, 4). It went on to suggest that consultations on immigration policy between the federal government, provincial governments and non-governmental organizations should, for at least a decade, include as a major agenda item "The Immigration of Children". In support of its recommendation the Committee noted that declining fertility had reduced the proportion of the population under age 15, a fact which, in the Committee's view, was not given adequate consideration in the determination of immigration policy. Employment and Immigration Canada responded to the concerns of the Standing Committee by assessing systematically the implications of increasing the proportionate intake of immigrant children. The findings were presented in a 1987 paper by Hersak and Francolini, which is discussed in some detail below.

It is useful to assess the demographic argument made in support of international adoption, since it provided the initial context for discussion of the issue and may remain a reference point for proponents of the practice.

Interest in the demographic implications of immigration is prompted by the knowledge that the annual rate of growth of the Canadian population has declined steadily over the past 30 years, from 3 per cent in the late 1950s to less than 1 per cent in the late 1980s. This decline has been due, in large part, to a dramatic decline in fertility to a current rate of 1.66 children per woman (Seward 1989, 4). At the same time, declining

population growth has affected the age structure of the population and labour force. In 1966, 42.2 per cent of the population was under the age of 20 and 7.7 percent was over 65. By 1988 the proportion of young people aged 0-17 was 25 per cent and the proportion of those over 65 was about 11 per cent. It is generally agreed that at least until the end of the century, the population and labour force will continue to age and the rate of growth of the population and labour force will continue to decline (*ibid.*).

There has been considerable debate among scholars regarding the potential to arrest the decline of the Canadian population. It is at this juncture that a consideration of immigration levels and the age structure of immigration becomes critical to the demographic debate. (Pro-natalist policies being the other policy vehicle by which population growth may be encouraged.)

Historically, the impact of immigration on population growth has been significant. Impact can be measured by computing the proportion of population growth that is due to net migration, as opposed to natural increase:

> For the whole of this century, the net immigration of 4.5 million persons comprised 22 per cent of the total population growth. The relative contribution of immigration to population growth was highest between 1901 and 1911, when it reached 44.1 per cent. Over the period 1946-88, net migration accounted for 24 per cent of population growth. These measures ... do not take into account the further impact through children born to immigrants while in Canada (Beaujot 1989, 10).

Projections of future population growth suggest that immigration at historical levels has the potential to avert, but not reverse, future population decline. Assuming a fertility rate of 1.67 children per woman and gross immigration of 200,000 per year, Statistics Canada estimates Canada would reach a peak population of 34 million in the year 2035. At a lower level of immigration, 140,000 per annum, an ultimate population size of 31 million would be achieved in 2026 (Statistics Canada 1990).

Immigration has had a much smaller impact on the age structure of the population. This follows from the fact that the median age of immigrants has been only slightly less than that of the entire Canadian population. In effect, the median age of arriving immigrants was about a year younger than that of the receiving population over the period 1945-71, changing to two years younger by 1981 and four years younger by 1986. Immigration over the period 1951-81 thus reduced the average age of the population by a half-year relative to the average age which would have resulted if population change had been a function only of births and deaths (Beaujot 1989, 16).

Population projections of future age structure produce similar results, even when different levels of immigration are assumed. At an annual immigration level of 200,000 the median age of the population in 2036 will be 44.7 years. With zero migration the median age in the same year would be 46.9 years. The long term effect of current low fertility will be much more striking, increasing the median age of the Canadian population by 13 or 14 years between 1986 and 2036 (*ibid.*).

Several studies have explored the impact which an explicitly age-directed immigration policy would have on the rate of growth and age structure of the Canadian population. It is this set of studies which is most relevant to the debate on the demographic impact of increased levels of international adoption.

Foot (1986) was an early proponent of an immigration program directed away from the Baby Boom generation (those born between 1947 and 1966). Foot noted that one-half of all immigration to Canada falls in this age group, an age group which has "faced increasingly hostile labour market conditions in recent years" (Foot 1986, 9). Foot suggested the government gradually reorient immigration intake to the younger age groups. He was careful, however, to suggest an automatic "sunset" provision, which would allow the new program to be phased out as the children of the Baby Boom "echo" effect enter the labour market. In keeping with this logic, Foot would not support increased international adoption at the present time, as it will only serve to exacerbate the Baby Boom echo effect (Foot 1991).

More recently, Samuel has argued the immigration stream should be made younger than it is at present to compensate for a low rate of fertility (Samuel 1990). Although Samuel does not project the impact of an age-directed immigration policy on population size or age structure, he does note that integration of immigrants at a younger age takes place much more smoothly than for those who immigrate at an older age (p. 26).

A systematic and realistic consideration of the demographic impact of the immigration of an increased proportion of children was conducted by Hersak and Francolini in 1987. Within the family class of immigration the authors perceive a promising option for increasing the proportion of children through foreign adoptions. The authors argue that the Canadian government could facilitate international adoption by better informing the "sending" countries of Asia and South America of the availability of good homes in Canada. Having concluded that in this regard there are opportunities, though limited, for increasing the intake of immigrant children, Hersak and Francolini return to the underlying question of the demographic impact of such a strategy on Canada. In the first projection the authors assume gross immigration of 150,000 per year and an age-sex distribution identical to that of immigrants in 1981. That is, with no special measures designed to increase the intake of children there would be an intake level of 31,376 children per year to 2030. A second projection assumed the same overall immigration but with 15,000 more children and 15,000 fewer adults. Under the latter scenario the proportion of children in the total immigration intake rises to 30.9 per cent from 20.9 per cent in the first scenario. The impact on the demographic situation in Canada in 2030 would be to increase the population by 300,000 and reduce the median age by less than one year. The influence on future numbers of births in Canada would also be minimal (pp. 26-29).

The 1989 findings of Canada's Demographic Review reinforce the conclusions of Hersak and Francolini with respect to an age-directed immigration policy. The Demographic Review Secretariat assessed the implications of changes in the age structure of immigrants on the aging of the population. In 1988, 23 per cent of immigrants were under age 15. Changing this proportion to 30 per cent, or even to 50 per cent, has "little long-term impact upon the overall age structure, even when coupled with a very large increase in immigration levels" (Canada, Health and Welfare 1989, 24). It should be noted that changes in the age structure of immigrants combined with very high immigration levels would, in the medium term, slow the trend toward an older society.

International adoption at feasible levels can therefore have little long-term impact on the overall age structure of the Canadian population. Pressure on governments to make international adoption easier for Canadian parents must be justified on other grounds.

Humanitarian concern for children abandoned by virtue of war, natural disaster or the breakdown of the extended family motivated the initial establishment of adoption programs in many countries following the First World War (see part two). Humanitarian motives undoubtedly continue to inform the work of many individuals and organizations active in international adoption in Canada and other developed nations. However, the rising incidence of involuntary infertility and declining supply of Canadian-born children available for adoption have created a new interest in international adoption (see part three). It is arguable that these factors, which have prompted the wide dissemination of new reproductive technologies, are also behind the current demand for liberalization of international adoption practices. As in the case of new reproductive technologies, there is now a need to debate the socio-political implications of current adoption practice before proceeding to legislative and regulatory reform.

The objectives of this discussion paper are: first, to describe the history and current practice of international adoption in Canada; and second, to pose the policy questions which should inform public debate on this issue.

The first part of the paper examines briefly the academic literature on international adoption. Part two explores the history and current practices of the countries from which international adoptees originate. This part also describes international conventions and policy statements relating to adoption. Parts three and four describe the Canadian situation, first, by providing a brief overview of domestic adoption practices and, second, by presenting available data on domestic and international adoption. Part five presents a detailed analysis of international adoption procedures which considers the provisions of all relevant provincial and federal legislation. Part six provides a chronology of recent events in Romania and assesses Canada's response. Concluding comments are set out in part seven.

PART ONE INTERNATIONAL ADOPTION: A REVIEW OF THE LITERATURE

The academic literature on the subject of international adoption can be classified according to three broad objectives. The first, and largest, group of studies describes the practices and experiences of particular countries which receive significant numbers of adoptees from abroad. The United States, Sweden and the Netherlands are among the countries most prominently studied. Because of limited resources these country-specific studies will not be reviewed in this part. A second group of authors has attempted a socio-political analysis of the practice of international adoption. And finally, several sociologists and social work practitioners have assessed the adjustment of intercountry adoptees as one means of evaluating the efficacy of the practice. This literature review focuses on the findings of the two latter groups of work, namely the socio-political and adjustment studies.

SOCIO-POLITICAL ANALYSIS

It is generally acknowledged that from the limited data available it is evident that the flow of children for intercountry adoption is always in one direction, from the less affluent to the more affluent countries internationally. This mirrors the tendency for local adoptions to transfer children from lower to middle and upper socio-economic classes (Kadushin 1984; Pascall 1984). In the United States authors have examined the related practice, now substantially eliminated, of placing black children in white families (Simon 1984). Even those authors who have not examined or commented on the distribution of adopted children between nations, social classes, and minority/majority groups have noted that among adoptive parents intercountry adoption is only an option for those who are middle-class. This is because of the cost of transportation of the adoptive child and the fees of the several organizations, both local and foreign, which may facilitate the adoption (Cole 1984).

In most countries, as in the academic literature, the central controversy surrounding international adoption has arisen from varying interpretations of the motivation of adopters and, most importantly, of the socio-political consequences of transfers of children from less developed to developed nations.

Proponents of international adoption argue that many international adopters are motivated by the knowledge that other countries have children who need families and by the sincere belief that the very lives of these children may be in jeopardy because of war and/or poverty. They focus on the immediate well-being of particular children, as opposed to the long-term global implications of the practice. Academic supporters of the practice have worked to demonstrate that intercountry adoptees adjust well to their new milieu. A selection of such adjustment studies is summarized below.

First, however, it is useful to examine the other side of the argument through the work of authors such as Benet (1976) and Melone (1976), who have stressed the exploitative implications of international adoption from the perspective of the sending countries.

Benet's wide-ranging analysis of the political dimension of adoption was prompted, in part, by the concerns of American blacks and the governments of many poor countries. In the 1970s these groups began to object to the movement in favour of international adoption, which they saw as compounding existing economic inequality by depriving weaker groups of the children they are unable to support (p. 20). Benet's own understanding of the history of intercountry adoption suggests that the practice begins most frequently as a response to the plight of children displaced by war. In some nations displacement of children is temporary. As the post-war economy develops, population growth becomes manageable and displaced children can be absorbed by the local community. Using the underdevelopment thesis developed by André Gunder Frank, Benet argues that for other countries the displacement of children has not been a temporary phenomenon. Rather, for those countries with satellite status in the world capitalist system there has been no escape from "dependency, family break-up, and personal poverty and homelessness to achieve a unified social system able to care for its own members" (p. 123).

Benet does not question that for the particular children in the underdeveloped countries who have been affected, intercountry adoption has been a positive, potentially life-saving, experience. She does note, however, that the practice does nothing to solve the contradiction between a world population crisis occurring at the same time as a baby shortage faces many developed countries. Indeed, if the opening of orphanages by Western adoption agencies leads to greater abandonment of children in the sending countries, Benet argues that intercountry adoption may be counter-productive to long-term solutions for the underdeveloped world (p. 135).

Melone's analysis of Third World adoption (1976) shares the perspective of Benet, but also makes a radical recommendation for reversing what the author sees as a new form of the brain drain. Melone would like to see limits imposed on intercountry adoption to prevent it from "hindering the necessary search for a social strategy whereby the country itself has to think out the development conditions of its youth in relation to the conditions of its own political and economic life" (p. 24). At the same time as the West constructively promotes care facilities and institutions for young people in Third World countries, the goal of existing intercountry adoption programs should, in Melone's view, be "subsequent return to the home country". In this way the Western resources invested in the young adoptee will be effectively placed at the disposal of his home community (p. 25).

ADJUSTMENT STUDIES

Proponents of intercountry adoption point to a large number of studies which have shown that the adjustment of intercountry adoptees compares favourably with that of adoptees living with adoptive parents of the same race in their own country of birth. In the 1970s adoption research in the United States and Britain began to examine the adjustment of transracial adoptees, who were, at that time, primarily members of minority groups who had been adopted locally. The studies were launched in response to opposition to transracial adoption on the part of black writers and community activists. Nearly a dozen studies indicated that approximately 75 per cent of transracially adopted preadolescent or younger children adjust well in their adoptive homes. Although the number of studies which compared the adjustments of transracially adopted children with those of inracially adopted children was limited, most found favourable results (cited in Feigelman and Silverman 1983). The positive research findings of these early studies are quoted frequently

by writers who note that the next generation of transracially adoptive families in North America and Europe will result largely from intercountry adoptions (Simon and Altstein 1981).

More recent adjustment studies have made an explicit attempt to study international adoptees as a separate target group in order to determine whether adjustment for this group is more problematic than for the more traditional cohorts of adoptees. In the United States, Feigelman and Silverman (1983) conducted a mailed questionnaire survey and seven-year follow-up survey of a nationwide sample of adoptive families. Seventy-six per cent of responding families had adopted overseas, and 24 per cent had adopted domestically. Of the children adopted abroad a slight majority were Korean. Other common origins were Vietnam and Columbia.

The authors' evidence on transracially adopted Korean adolescents showed that they were especially well adjusted in their adoptive homes; these children showed better adaptations than the inracially adopted cohorts (p. 238). For Latin American transracial adoptees the pattern appeared to be much like that found for Koreans. These children appeared to be exposed to the least prejudice and bigotry of all the major groups of transracial adoptees studied and were likely to be favourably adapted in their families, schools and communities (p. 239).

In 1980 Bagley and Young published the first follow-up study of children born overseas and adopted in Britain. The sample consisted of 100 girls adopted from Hong Kong orphanages by 90 sets of adoptive parents in Britain. The children and their families were interviewed a dozen or more years after the adoptions had taken place. The authors found that the group had few problems of identity and, in fact, displayed significantly better self-esteem than a control group of non-adopted girls of largely similar social class and scholastic background (p. 21). Bagley and Young conclude their study by noting that their results give grounds for optimism to those who advocate the continued practice of intercountry adoption.

There have not, to date, been any Canadian studies on the adjustment of international adoptees. Recently, Joyce Cohen of the University of Toronto and Anne Westhues of Wilfrid Laurier University have completed a feasibility study for a project which would evaluate the adaptation of adolescent intercountry adoptees. If the project proceeds it will constitute the first adjustment study conducted in Canada with a national sample of international adoptees.

PART TWO THE HISTORY AND CURRENT PRACTICE OF INTERNATIONAL ADOPTION WORLD-WIDE

Initially, the practice of intercountry adoption was limited to placement of children in another country on the same continent, in particular within Europe (van Loon 1987, 3). Most Western countries first passed or revived adoption laws in the aftermath of the First World War, which left great numbers of orphans. Countries such as the USSR, Britain and France were thereby well-prepared to establish programs to find homes for children orphaned or displaced by the Second World War. At this time the occupied nations of Germany, Japan, Italy and Greece became the main sources of children for international adoption as the soldiers of occupying armies became aware of the plight of children and informed foreign governments (van Loon 1987; Benet 1976). The only significant exception to the transfer of children within the European continent at this time was the adoption of war orphans by parents in the United States; slightly more than 500 children per year entered the U.S. in the immediate post-war period.

The next resurgence of interest in intercountry adoption occurred in 1953 at the end of the Korean War. There was particular interest in the United States as the half-Asian children of American soldiers were orphaned or abandoned by mothers unable to raise them. The problem of homeless children in Korea was not, however, resolved in the period immediately following the war. Korea has, rather, remained a principal, if not the leading, source of adoptive children for most Western countries. To most observers the continued existence of large numbers of homeless children is a consequence of both war, rapid industrialization, and the urbanization and break-up of the extended family attendant upon the growing influence of the West (Benet 1976, 124).

Demographics and domestic social policies have also played a role in Korea's dominance of intercountry adoption. By international standards Korea has a young population; as of 1979, 46 per cent of the total population was under the age of 18 (Altstein 1984, 200). At the same time, the government of South Korea is apparently unable to assist the large numbers of young families who require services. In 1981 the budget for all social welfare programs amounted to .06 per cent of the total budget (Tahk 1982, cited by Altstein 1984). Combined with extreme poverty and negative attitudes toward unmarried mothers and children of mixed blood, the government's inability to provide adequately for abandoned children has made Korea the main "adoption resource" of the world.

By the 1970s children from other war-torn countries of Southeast Asia, namely Vietnam, Laos, Cambodia and Thailand, were being adopted by citizens of Australia, the Nordic countries, the Federal Republic of Germany, the Netherlands, Belgium, France, Switzerland, Great Britain and other European countries (van Loon 1987, 19). At various times governments of some of the source countries have chosen to restrict or curtail altogether international adoption in response to reports of abuses and/or domestic protest. For example, intercountry adoption was ended in Vietnam in 1976, in Bangladesh in 1980, and most recently in Sri Lanka. In Indonesia the practice was severely restricted in 1983 (van Loon 1987, 20).

Since about 1975 the countries of Latin America have joined Asia as a significant source of international adoptees. Several authors have examined the reasons for this development, focusing on variations in adoption practices in the region.

Resnick (1984) and Goldschmidt (1986) describe a process similar to that which had made Korea a key source of children for adoption: patterns of industrialization have broken down the traditional extended family; poverty has had a particularly devastating impact on unmarried mothers; and social services have been inadequate in the face of growing demand. At present, half the population in virtually all Latin American countries is under eighteen years of age; in some countries, half the population is under fifteen. In the capital city slums, where the unemployed and underemployed are most concentrated, the incidence of abandoned children has reached epidemic proportions. Goldschmidt estimates that in Brazil alone there are 10,000,000 abandoned children (1986, 259). Attempts are being made by governments in the region to prevent the circumstances which give rise to the availability of children for adoption, through assistance to mothers, child care, family planning and programs to counter child neglect and abandonment. At the same time, intercountry adoption from the region has grown and in several countries has become a source of great controversy.

In most Latin American countries, there are two types of adoption. The first is simple adoption, which does not completely break off ties to the biological family and thereby does not alter the civil status of the child. The second is full adoption, with cessation of all ties with the biological family. In some countries, such as Ecuador, Panama and Uruguay the law provides for simple adoption only.

With regard to intercountry adoption, there is either no mention of the practice in Latin American legislation, or it is dealt with inadequately. This inadequate legal protection for intercountry adoptees in Latin America reflects the fact that the phenomenon is relatively new (Goldschmidt 1986, 264). In practice, most countries in the region require that the adoption be completed in the child's country before emigration takes place. However, the process which leads to adoption is ambiguous. For example, most countries require a social report (or home study) on the adoptive parents, but it is not specified whether the report must originate in the child's or the parents' country, or by whom this report must be made. For national adoptions several countries also require a supervised trial period. Yet it is not stated in the case of intercountry adoption in which country the trial period is to take place (Goldschmidt 1986, 263).

Recognition of these and other problems, together with the growing interest of North American and European families in adopting Latin American children, has resulted in several national and international conferences on intercountry adoption in the region. Most recently, the Conference on Private International Law of the Organization of American States approved the first Inter-American Convention on 'Conflict of Laws Concerning Adoption of Minors'. The Convention would make both a social report and a supervisory period compulsory in intercountry adoptions. The Conference also recommended to all member states that penalties be applied to the commercialization and traffic in children in order to obtain personal gain (Goldschmidt 1986, 266). Police undercover operations have since been organized and have resulted in arrests in Argentina, Paraguay and Brazil on the charge of arranging illegal adoptions. Arrests in Brazil lead

Attorney General Clotildo Jimenz Benitez to call for a ban on all adoptions by foreigners (*The Citizen* 1988).

On a world-wide basis, recent estimates suggest that each year a total of between 15,000 and 20,000 children from the Third World are placed with families in Europe, the United States, Australia and Canada (Hoksbergen *et al.* 1987, cited by van Loon 1987, 22). Statistics compiled in the United States suggest that families in the United States adopt a significant number of these children; in 1986 alone 10,000 children were admitted to the United States for adoption (Smith 1988). In the 1980s most adoptees came from Asian countries (74 per cent); 21 per cent of adopted children were from Central and South America, and 5 per cent from other parts of the world (*ibid.*).

As the practice of international adoption has evolved it has attracted the attention of both the United Nations and the Hague Conference on Private International Law. A brief review of the current initiatives of such bodies is useful in that it suggests ideas which may influence Canadian policy deliberations on the subject of international adoption in the future.

On November 20, 1989 the General Assembly of the United Nations adopted the Convention on the Rights of the Child. The Convention deals with situations and issues of particular concern to children and is binding on all governments which ratify it. Canada signed the Convention in May 1990 and is currently seeking the consent of the provinces and territories to ratify the Convention before the end of 1991.

The Convention includes specific provisions, found in Article 21[1], regarding intercountry adoption. Article 21 is best understood in the context of prior articles which stress the fundamental right of the child to be cared for by his or her parents (Articles 7, 9 and 18). Article 21 accordingly recognizes intercountry adoption as a last resort if the child cannot "in any suitable manner" be cared for in his or her country of origin. The safeguards accorded an international adoptee are to be equivalent to those established for adoption within the country. The article concludes by encouraging states to adopt bilateral or multilateral agreements to ensure intercountry placements are carried out by competent authorities.

As is the case with other binding international instruments, the articles of the Convention on the Rights of the Child are open to interpretation. There is another, currently non-binding, U.N. Declaration on the subject of adoption which the General Assembly may, in time, enact as an international convention. The Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally was adopted on December 3, 1986 (United Nations, General Assembly 1987).

The Declaration calls on governments to establish policy, legislation and effective supervision for the protection of children involved in intercountry adoption. Specifically, it states that the relationship between the child to be adopted and the prospective adoptive parents should be observed by child welfare agencies *prior* to the adoption (Article 16). Placements should be made through competent authorities or agencies with application of standards and safeguards equivalent to those existing in respect of national adoption (Article 20). Finally, in cases where persons act as agents for prospective adoptive parents,

special precautions should be taken in order to protect the child's legal and social interests (Article 21).

Another forum for debate on the practice of intercountry adoption has been the Hague Conference on Private International Law, an international organization established for the harmonization of the rules of private international law among the Member States. In 1965 the Hague Conference declared an Adoption Convention which was signed by only three countries: Austria, Switzerland and the United Kingdom. Recently, the Conference has begun work on a new Convention, which would have three goals: to eliminate the trafficking of children; to remedy the lack of rules of procedure for intercountry adoption; and to avoid corruption of the legal system.

As a first step in this new initiative the Conference held a special meeting in June 1990 between representatives of the states of origin of adopted children and representatives of the receiving states. There were 49 states represented at this meeting, which included officials of the Canadian and Québec governments (Hague Conference 1990). The first conclusion of participants summarizes the current status of international adoption:

> Intercountry adoption of children has recently become a worldwide phenomenon which poses numerous human problems, including complex administrative and legal issues, as a result of the large geographical distances and differences in (legal) cultures involved. Existing approaches for handling intercountry adoption are often ambiguous and incoherent and in some cases contribute to the complexity instead of reducing it; in any event, they are insufficient in terms of establishing a framework for international co-operation between judicial and administrative authorities at a global level. There is a need for a multilateral, legally binding Convention to establish such a framework (*ibid.*).

The Special Commission elaborated the specific division of responsibilities between countries of origin and receiving countries. These responsibilities are not delineated in either of the United Nations documents described above and would have far-reaching implications for signatory states. The primary responsibilities of authorities in the *receiving* countries can be summarized as follows:

(a) establishing conditions regarding the fitness of their nationals to adopt (e.g., age limits for adoptive parents, the existence of a valid marriage, a stable family situation, adequate preparation, etc.);

(b) apprising prospective adoptive parents of the consequences of an intercountry adoption;

(c) preparing a file on the prospective adoptive parents; and

(d) authorizing and facilitating the child's entry into the receiving country and family (Hague Conference 1990, 17).

There are two crucial considerations in terms of Canada's potential responsibility as a receiving country under the Convention. First, Canada's responsibilities, as described above, would apply to *both* children brought to Canada for the purpose of adoption in Canada, and to children whose adoptions are legally completed in the sending country by Canadian parents. Part five of this paper elaborates existing ambiguities in regulations governing these two different types of intercountry adoption. Second, the proposed Hague Convention would require each participating country to establish a Central Authority to co-operate with its counterparts in other countries and to supervise private agencies within its jurisdiction. As discussed in part four of this paper, there is currently no "central authority" in Canada with such responsibilities.

PART THREE HISTORY OF ADOPTION IN CANADA

The purpose of this section is to briefly outline the history of adoption practice in Canada as the context for a more detailed description of the relatively new phenomenon of international adoption by Canadians.

Adoption is a jurisdictional responsibility of the provinces. Each province has either an adoption statute or discusses the practice within a more general child welfare act. The first relevant provincial legislation was passed in 1873 in New Brunswick; the final province to adopt a statute was Newfoundland in 1940 (Lipman 1984). Provincial regulation of adoption has had two primary objectives: (1) the promotion of the welfare of the adopted child, in part through removal of the stigma attached to illegitimacy; and (2) the clarification of the legal relationship of the adopted child to both the natural and adoptive parents in order to make the rights of succession to property more certain (Hepworth 1980, 131).

With respect to the legal requirements for adoption of Canadian-born children provincial statutes share the following provisions in common:

1. Persons eligible to adopt include: a couple applying to adopt a child unrelated to them; the spouse of the parent of a child applying to adopt the child (step-parent adoptions); and single adult persons.

2. There must be a valid written consent to adoption signed by the natural parents (usually if the parents are unmarried only the natural mother is required to consent); or by the Director of Child Welfare if the child is a permanent ward. There is generally a minimum period which must expire after a birth before the consent is valid.

3. The child to be adopted must have been in the adoption home for a (trial) period of at least six months at the time a petition for adoption is heard by the court.

4. The decision of the court is based, at least in part, on a report prepared by or under the direction of the relevant provincial ministry assessing the merits of the proposed adoption (based on MacDonald 1984, 43-44).

Adoption statistics for the past decade are presented in some detail in the following section of this paper. In general, the incidence of adoption increased throughout the 1950s and 1960s, reached a peak in Canada in the years 1969-70 and 1970-71 and has since declined. This decline is based on a real decrease in the number of babies available for adoption which is, in turn, a result of two factors. First, fertility has declined dramatically in the past-quarter century in Canada. However, this has been predominantly a decline in

marital fertility. More unmarried women are having children; the percentage of children born to unmarried women as a percentage of all children born within a specific year rose from 4.3 per cent in 1960 to 16.7 per cent in 1984 (Eichler 1988, Table 7.2). Most important as a determinant of the availability of babies for adoption is the greater tendency for unmarried mothers to keep their children rather than give them up for adoption. It is estimated that at present only 9 per cent of unmarried mothers choose not to keep their children (Eichler 1988, 235).

There has not been a concomitant decline in the demand for adoptable children during the period in which the supply of such babies has fallen. Since the early 1970s adoption placement facilities have faced the phenomenon of too many applicants for adoption and too few babies, a reversal of the situation which prevailed in the early 1960s. Couples in Canada and the U.S. are now being told that they must either wait for two to five years to adopt a healthy, white baby or that they will not be considered at all unless they agree to adopt other types of children (Ferguson 1984, 6).

In general, the 1970s and 1980s saw the introduction of more stringent criteria for applicants seeking to adopt (Hepworth 1980, 169). In her historical overview of adoption practice in Canada, Ferguson (1984) notes that restrictive and arbitrary "standards" have always been imposed during periods of high scarcity of infants. She argues that criticism of the subjective assessments of parents rendered by social workers has lead to pressure on several fronts. Most notable, in Ferguson's view, has been the development of a private adoption market[2] in both the U.S. and Canada (p. 6). Although it is beyond the scope of this paper to provide a description of private adoption practices in the provinces, Ferguson's thesis on the origin of such a system is interesting because it could be argued that similar pressures have been a key factor in the increasing demand for greater access to international adoption.

Before turning to a detailed examination of the practice of international adoption it is worthwhile to note other recent developments in the formulation of adoption policy.

First, historical practices concerning the adoption of native Indian children have been severely criticized in recent years, prompting several governments to take legislative and regulatory action. Until the 1960s transracial placement (including the placement of native children in non-native adoptive homes) was uncommon in Canada. Until this time, social workers attempted to match families and children according to physical characteristics and race (Lipman 1984, 35). However, in the 1960s there were efforts in various parts of the country to recruit adoptive homes for minority race children. These programs, including the Adoption Indian and Métis program (AIM), succeeded in attracting mainly white applicants and interracial adoptions became increasingly common (Ward, The Adoption of Native Canadian Children, cited by Lipman 1984).

As the practice of transracial adoption was taking hold in Canada, black social workers and other activists in the United States had begun active opposition to the practice. By the late 1970s transracial adoption had fallen out of favour in Canada as well. Professionals in social work and other disciplines concluded that native identity was best preserved by placing native children with blood relatives, band members or members of the same Indian nation. Native peoples themselves have condemned the former practice of adoption by non-native families as constituting a form of genocide (cited by Eichler 1988, 264).

In several provinces adoption legislation now reflects an explicit concern for the appropriate placement of native children. Legislation in Ontario recognizes the right of Indian and native people to provide, wherever possible, their own child and family services. The Act further directs that any person charged with making a determination concerning the adoption of a native person shall take into consideration the importance of preserving the child's cultural identity (Ontario 1984 s.1(f); s.130(3)). Manitoba's Child and Family Services Act is guided by a similar principle:

> Indian bands are entitled to the provision of child and family services in a manner which respects their unique status as aboriginal peoples (Manitoba 1985).

Finally, legislation in Alberta (1988) contains the most explicit provision with respect to the placement for adoption of native Indian children. The Child Welfare Amendment Act directs the person placing the child to consult with the chief of the council or the council of the Indian band before filing a petition for an adoption order (s.62.1).

A second issue which has been the focus of recent changes in attitudes and legislation is the disclosure of adoption information to birth parents and adult adoptees in cases where this is desired by both parties. The opening of adoption files has been prompted by the public search of a number of adopted children for their birth parents. Some organizations have sprung up to assist interested parties with their search and in some provinces appropriate changes in legislation have been enacted.

PART FOUR INTERNATIONAL ADOPTION IN CANADA: DATA SUMMARY

Adoption statistics are difficult to compile because there is no central registry in Canada charged with keeping track of the total number of adoption orders completed in each of the provinces. Before proceeding to a consideration of international adoption statistics, it is useful to review statistics for all types of adoption, as provided by the provinces.

Table 1 presents total adoption statistics for selected provinces since 1980. Because of significant differences in data collection procedures, figures for various provinces cannot be compared, but rather should be used as a general indicator of trends in adoption practice across the country. (Provincial data may refer to either adoption placements or finalized adoption orders and may or may not include relative adoptions.) It is evident that in most provinces (PEI being the notable exception) the incidence of adoption has declined in the period under study.

Disaggregated statistics provided by some of the provinces also indicate that private placements, as opposed to ward placements arranged by public agencies, represent an increasing proportion of total adoptions completed each year. In Alberta, for example, private adoptions represented 56.3 per cent of the total in 1981, but had risen to 69.1 per cent of the total in 1987. In Ontario in 1982, 21.9 per cent of the adoptions of Canadian-born children were arranged privately (the remainder were arranged by Children's Aid Societies). By 1987, 38.5 per cent of adoptions were completed privately. In Saskatchewan private adoption orders rose from 16.2 per cent of all orders in 1980 to 33.5 per cent in 1987. It is worth noting that the increasing significance of private placements revealed in these recent provincial figures reflects a trend which has been described by other analysts for several provinces. "Private" adoption in this context can be taken to mean the placement of any child who is not a ward by virtue of either an order or agreement. This category would therefore include, and may even consist largely of, adoptions by relatives, particularly step-parents. By the late 1970s relative adoptions accounted for 55 per cent of adoptions in provinces which reported this type of adoption as a separate category (cited in Lipman 1984, 32). Relative adoptions will remain important for as long as the divorce rate remains high and unmarried parents continue to retain their children. The extent to which government agencies should be involved in such adoptions has been decided differently by the various provinces and is a subject of ongoing debate among practitioners.

Statistics on international adoption are even less precise than those available for local adoption, despite the fact that a separate data base for these adoptions is maintained by Employment and Immigration Canada. Certain basic definitions and distinctions will assist in the analysis of the data which is available.

For the purposes of both admission and data compilation, there are three types of international adoption recognized by the *Immigration Regulations*. The relevant *Regulations* were passed in 1978 and have received little modification since.

TABLE 1

NUMBER OF ADOPTIONS, SELECTED PROVINCES, SELECTED YEARS

PROVINCE	1980	1981	1982	1983	1984	1985	1986	1987
Alberta[1]	N/A	1610	1681	1738	1653	1244	1433	1256
British Columbia[2]	763	750	606	547	533	526	542	N/A
Manitoba[3]	N/A	330	279	242	174	143	126	101
New Brunswick[3]	138	126	144	176	144	144	135	117
Nova Scotia[3][5]	326	276	326	254	240	221	186	N/A
Ontario	N/A	N/A	N/A	1713	1416	1392	1263	1174
Prince Edward Island	77	63	86	82	64	52	74	70
Saskatchewan[4]	439	372	357	330	284	234	215	275

Notes:

(1) Includes both ward placements and private adoptions. The total figure for 1980 is not presented because the number of ward placements for that year was not available.

(2) Represents adoption orders or placements for the fiscal year. Eg. figure for 1981 represents adoptions granted between April 1, 1981 and March 31, 1982.

(3) Only "selected" agencies were surveyed. Total figures for the province would be higher.

(4) Includes both ward and private *finalized* adoptions. Step-parent adoptions are excluded.

(5) Relative adoptions excluded.

Sources: Statistics for the province of Quebec were requested but were not received in time for inclusion in this report.

For the province of Newfoundland approximately 60 ward placements are completed each year. This figure excludes placement of related children.

Other provincial data were obtained as follows: Alberta data obtained in writing from Anne Scully, M.S.W., Program Supervisor, Adoption Services; British Columbia data obtained in writing from Hank VanderPol, Coordinator, Family and Children's Services Division, Ministry of Social Services and Housing; New Brunswick data obtained in writing from Irène Patterson, Program Consultant, Adoption/Children in Care Services; Nova Scotia data obtained in writing from Susan M. Drysdale, R.S.W., Coordinator of Adoption Services; Ontario data obtained by phone from Joan Webber, Private Adoption Officer; Prince Edward Island data obtained by phone from Gloria Melanson, Director of Vital Statistics; Saskatchewan data obtained in writing from Gerry Jacob, Program Manager, Provincial Adoption Registry; and Manitoba data obtained in writing from Christine Buchel, Provincial Adoption Coordinator.

All international adoptees enter Canada as members of the family class of immigrants. By definition, family class immigrants are members of the immediate family of eligible close relatives already living in Canada. Family class immigrants are accepted to Canada on the basis of an undertaking of support, or sponsorship agreement, entered into by the sponsoring relative. In addition, the immigrant must satisfy general requirements of good health and good character which apply to all immigrants. The applications of family class immigrants are accorded the highest processing priority, along with those of Convention refugees and members of the Designated classes.

Within the family class, there are several categories in which a prospective adoptive or adopted child may enter Canada. First, a child whose legal adoption has been completed outside Canada while the sponsor resided in Canada may be landed in Canada as the unmarried son or daughter of the applicant (immigration category FC3).[3] For the purposes of data collection and immigration procedures adopted sons and daughters are not distinguished from birth children immigrating to join their parents in Canada. All are coded as FC3 immigrants. Second, a child may be sponsored by an applicant who has the intention of adopting the child in Canada after his or her immigration. These children, referred to as FC6 immigrants, must be one of the following:

(i) an orphan;

(ii) an abandoned child whose parents cannot be identified;

(iii) a child born outside of marriage who has been placed with a child welfare authority for adoption;

(iv) a child whose parents are separated and who has been placed with a child welfare authority for adoption; *or*

(v) a child one of whose parents is deceased and who has been placed with a child welfare authority for adoption (Immigration Regulations, paragraph 4(1)(g)).

Finally, the *Immigration Manual*, at section IS 2.11, states an additional means by which an adoptive child may be admitted to Canada. Children who do not meet the requirements of paragraph 4(1)(g), listed above, may be admitted by Minister's Permit on humanitarian and compassionate grounds. Immigration Officers are provided with several examples of cases which *would likely* merit a recommendation for admission by Minister's Permit. These include children being sponsored by their putative fathers, children who meet the requirements of paragraph 4(1)(g) but whose applications are made in Canada, and children who have spent a long period of time in Canada and have been recently orphaned. Officers are counselled that Minister's Permit *may* be warranted if, for example, the prospective adoptive child is young and the sponsors are infertile. Coding procedures do not allow for monitoring of the number of, or reasons for granting of, Minister's Permits.

Of the three types of international adoptees who enter Canada, there is therefore only one group, namely prospective adoptive children in the FC6 category, who can be identified in the immigration data base (referred to as the Landed Immigrant Data System, or LIDS).[4] Children whose adoption is completed abroad or who receive Minister's

Permits cannot be distinguished from other immigrants who enter Canada within the FC3 category or on Minister's Permits, but who are neither prospective adoptive nor adopted children. This section accordingly presents the characteristics of only FC6 immigrants to Canada as an incomplete portrait of the characteristics of all international adoptees.

The introductory section of this paper outlined the demographic concerns which have recently prompted recommendations for increased attention by the federal government to programs which facilitate international adoption. Table 2 indicates the relative importance of prospective adoptive children as a source of young immigrants and as a component of all immigration. In 1988 only 327, or 1.0 per cent, of all of the children landed in Canada were admitted as prospective adoptive children in the FC6 category of immigration. A greater number, 2,426 (7.1 per cent), of the children who entered Canada were the legal sons and daughters of sponsors in Canada. Of this 7.1 per cent an unknown number were actually children recently adopted abroad by sponsors residing in Canada. Far more significant than either of these categories was the independent and assisted relatives class, which was the source of 21,209 (61.7 per cent) of the children admitted to Canada as immigrants in 1988. When viewed as a component of total immigration, FC6 landings are even less significant, representing only 0.2 per cent of all landings in 1988.

Table 3 describes the world area of last permanent residence of children brought to Canada for the purpose of adoption in the last decade. Over the entire period most of the children originated in either Asia (64.5 per cent), South America (16.1 per cent) or the Caribbean (10.6 per cent). The relative importance of each of these areas as a source of children has shown slight shifts over the course of the past ten years. In the late 1970s and early 1980s Asia produced a declining share of adopted children, while both the Caribbean and South America became more important sources of children. However, between 1986 and 1988 this trend seems to have been reversed. In the past three years Asia has accounted for an increasing proportion of children. The relative importance of the Caribbean was at its lowest point in 1988 and South America has also accounted for a decreasing proportion of all prospective adoptive children in recent years.

Table 4 presents the specific countries from which prospective adoptive children emigrated in 1988. In line with the trends noted in Table 3, South Korea is the source of a majority of children, followed by the Philippines and Peru. Table 4 also reveals that the distribution of children among the provinces according to country of last permanent residence is comparable to the distribution for Canada as a whole; in other words, although the provinces differ in the *number* of adoptive children they admit annually, they do not show significantly different capacities to attract children from various countries.

Table 5 provides a relative indication of the importance of international adoption in each of the provinces. Like other classes and categories of immigrants, prospective adoptive children are most likely to settle in Québec, Ontario or British Columbia. In 1988, for example, 55.1 per cent of *all* immigrants to Canada intended to settle in Ontario, 15.9 per cent intended to settle in the province of Québec and 14.3 per cent stated British Columbia as their intended destination (Canada, Employment and Immigration 1989). Table 5 indicates that prospective adoptive children also migrate to these three most populous provinces. However, the largest number settle in Québec, not in Ontario. (For the first time, in 1988, the ranking of the two provinces was reversed.) The importance of international adoption in Québec may simply reflect greater demand on the part of adoptive parents or may, as is discussed in Part Five of this paper, be attributable to

differences between Québec and the other provinces in the operation of international adoption programs. Both Tables 3 and 5 reveal an increase in the number of international adoptees entering Canada in the past decade. This is in contrast to the trend displayed in Table 1 of the previous section, which showed a decrease in adoption of Canadian-born children in almost all of the provinces for which statistics were available. The Atlantic provinces, Manitoba, Saskatchewan and the Territories have had very limited participation in international adoption to date. Ontario, British Columbia and Alberta have taken in increasing numbers of children. Québec has shown a more stable level of activity, with the exception of significant increases in the number of children landed in 1986 and 1987.

Finally, Table 6 presents data on the age and sex of prospective international adoptees. Over the entire decade the largest number, but not the majority, of prospective adoptees were one year of age or younger. Most recently, infants have assumed a majority position, accounting for 55.3 per cent of all adoptees in 1988, up from a much lower proportion of 27.6 per cent in 1980. The proportion of adoptees between the ages of two and seven has been quite stable over the period under study. The real offset to the increasing significance of infant adoptions has been a significant decrease in the number and relative importance of prospective adoptive children who are eight years of age and over. In 1980, 28.1 per cent of the total were older children; by 1988, this figure had declined to a low of 9.9 per cent. Over the same period there was a somewhat greater tendency for prospective adoptees to be female than male (54.3 per cent, as compared to 45.7 per cent respectively). In 1987 and 1988 more males than females entered Canada.

As was discussed earlier in this section, children whose adoption is completed abroad are included in the same immigration category as sons and daughters by birth. This coding procedure makes it impossible to determine the frequency with which Canadian families are using this method of international adoption as an alternative to the process of bringing a child to Canada for the purpose of completing an adoption in Canada. All of the data presented in Tables 2 through 6 pertain to the latter process. Hersak and Francolini estimate the number of children adopted abroad, as opposed to in Canada, to be low, perhaps less than 100 children in 1981 (1987, 22). (In comparison, 188 children entered Canada for completion of adoption in the same year.) However, child welfare agencies in the private sector would dispute this estimate; they argue that more children are brought into Canada by less scrutinized avenues than enter for completion of adoption in a Canadian court (Markland 1989). The procedure by which children are adopted abroad is discussed in greater detail in the next section of this paper.

TABLE 2

PERMANENT RESIDENTS BY IMMIGRATION CLASS AND CATEGORY AND AGE AT IMMIGRATION, 1988

CLASS AND CATEGORY[1]	0-14 Years		15 Years and Over		All Age Groups	
	Number	% of Total	Number	% of Total	Number	% of Total
Child to be adopted (category FC6)	327	1.0	6	--	333	0.2
Son/daughter (category FC3)	2,426	7.1	3,112	2.5	5,538	3.5
Other family class (excluding FC3 and FC6)	4,214	12.3	40,826	32.5	45,040	28.1
Total family class	6,967	20.3	43,944	34.9	50,911	31.8
Refugees and designated classes	6,217	18.1	20,325	16.2	26,542	16.6
Independent and assisted relatives	21,209	61.7	61,467	48.9	82,676	51.6
All classes	34,393	100.0	125,736	100.0	160,129	100.0

Notes:

(1) Includes both prinicpal applicants and accompanying family members.

Totals may not add to 100.0 per cent due to rounding.

Source: Employment and Immigration, Landed Immigrant Data System, unpublished data (April 12, 1989).

TABLE 3

PROSPECTIVE ADOPTIVE CHILDREN (FC6) BY WORLD AREA
OF LAST PERMANENT RESIDENCE, 1978-1988

WORLD AREA	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1978-1988	
						(Numbers)						Numbers	% of Total
Europe	7	6	4	5	10	11	2	7	3	10	4	69	2.6
Africa	1	2	1	4	0	2	3	2	4	2	4	25	0.9
Asia	108	106	113	114	132	149	151	183	175	224	250	1,705	64.5
North & Central America	7	10	7	12	23	8	17	11	14	15	10	134	5.1
Caribbean	10	29	33	18	39	48	16	16	30	22	19	280	10.6
South America	8	25	41	34	38	41	43	40	56	54	45	425	16.1
Other(1)	0	0	0	1	1	1	0	0	0	0	1	4	0.2
TOTAL	141	178	199	188	243	260	323	259	282	327	333	2,642	100.0

Note:
(1) Includes Australasia, Oceania and other Islands.

Source: Employment and Immigration, Landed Immigrant Data System, unpublished data (April 12, 1989).

TABLE 4

PROSPECTIVE ADOPTIVE CHILDREN (PC6): TOP TEN COUNTRIES OF LAST PERMANENT RESIDENCE BY PROVINCE OF INTENDED DESTINATION, 1988

COUNTRY OF LAST PERMANENT RESIDENCE	Canada Total	Nfld	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
South Korea	187	1	0	0	1	65	60	1	4	11	44
Republic of the Philippines	24	2	0	0	0	1	9	1	3	4	4
Peru	13	0	0	0	0	0	10	0	0	0	3
India	11	0	0	0	0	0	6	0	0	4	1
Taiwan	10	0	0	0	0	5	2	0	1	1	1
Columbia	9	0	0	0	0	6	3	0	0	0	0
Chile	8	0	0	1	0	0	2	0	0	1	4
Jamaica	7	0	0	0	0	1	4	0	0	2	0
Thailand	6	1	0	0	0	1	1	0	1	1	1
Brazil	6	0	0	0	0	0	3	0	0	1	2
Other	52	0	0	0	0	19	16	0	0	10	7
TOTAL	333	4	0	1	1	98	116	2	9	35	67

Source: Employment and Immigration, Landed Immigrant Data System, unpublished data (April 12, 1989).

TABLE 5

PROSPECTIVE ADOPTIVE CHILDREN (FC6) BY PROVINCE OF INTENDED DESTINATION, 1980-1988

PROVINCE	1980	1981	1982	1983	1984 (Numbers)	1985	1986	1987	1988	1980-1988 Numbers	1980-1988 % of Total
Newfoundland	1	0	0	0	0	3	0	2	4	10	0.4
Prince Edward Island	0	0	0	0	0	0	1	0	0	1	-.-
Nova Scotia	0	0	0	2	0	1	2	2	1	8	0.3
New Brunswick	0	0	0	1	0	1	0	1	1	4	0.2
Quebec	101	93	116	114	108	106	147	129	98	1,012	43.6
Ontario	64	47	73	82	60	65	63	111	116	681	29.3
Manitoba	0	0	3	3	3	2	3	0	2	16	0.7
Saskatchewan	1	2	0	3	0	0	4	1	9	20	0.9
Alberta	6	9	10	11	15	12	17	37	35	152	6.5
British Columbia	26	37	41	44	44	68	44	42	67	413	17.8
Territories	0	0	0	0	2	1	1	2	0	6	0.3
TOTAL	199	188	243	260	232	259	282	327	333	2,323	100.0

Source: Employment and Immigration, Landed Immigrant Data System, unpublished data (April 12, 1989).

TABLE 6

PROSPECTIVE ADOPTIVE CHILDREN (PC6) BY AGE GROUPS AND SEX, 1980-1988

AGE GROUPS AND SEX	1980		1981		1982		1983		1984		1985		1986		1987		1988		1980 - 1988	
	No.	% of Total	No.	% of Total	No.	% of Total	No.	% of Total	No.	% of Total	No.	% of Total	No.	% of Total	No.	% of Total	No.	% of Total	No.	% of Total
0-1 year	55	27.6	85	45.2	89	36.6	86	33.1	85	36.6	106	40.9	141	50.0	178	54.4	184	55.3	1,009	43.4
2-3 years	43	21.6	39	20.7	45	18.5	72	27.7	55	23.7	49	18.9	55	19.5	54	16.5	55	16.5	467	20.1
4-5 years	28	14.1	14	7.4	27	11.1	27	10.4	43	18.5	40	15.4	30	10.6	27	8.3	37	11.1	273	11.8
6-7 years	17	8.5	8	4.3	17	7.0	19	7.3	10	4.3	19	7.3	22	7.8	21	6.4	24	7.2	157	6.8
8 and over	56	28.1	42	22.3	65	26.7	56	21.5	39	16.8	45	17.4	34	12.1	47	14.4	33	9.9	417	18.0
All age groups																				
Males	92	46.2	70	37.2	105	43.2	107	41.2	103	44.4	109	42.1	123	43.6	168	51.4	184	55.3	1,061	45.7
Females	107	53.8	118	62.8	138	56.8	153	58.8	129	55.6	150	57.9	159	56.4	159	48.6	149	44.7	1,262	54.3
TOTAL	199	100.0	188	100.0	243	100.0	260	100.0	232	100.0	259	100.0	282	100.0	327	100.0	333	100.0	2,323	100.0

Note: Totals may not add to 100.0 per cent due to rounding.

Source: Employment and Immigration, Landed Immigrant Data System, unpublished data (April 12, 1989).

PART FIVE INTERNATIONAL ADOPTION PROCEDURES

ADOPTIONS COMPLETED IN CANADA

(A) Procedures Outside the Province of Québec

Information on adoption procedures presented in this part is based, first, on the author's reading of the relevant adoption statutes. Legislation was obtained from each of the provinces and territories. In addition, the author conducted telephone interviews with provincial adoption coordinators in a number of provinces, as well as personal interviews with officials of the National Adoption Desk at Health and Welfare Canada in order to clarify the details of international adoption policy and procedure.

The immigration of children to Canada for the purpose of adoption and the subsequent granting of adoption orders by the provincial courts does not take place according to one unvarying set of procedures. However, in all provinces there is an "ideal" process which is followed in the majority of cases. The procedural steps involved in this process are described in this section, followed by a brief discussion of other methods by which children enter Canada for the purpose of adoption.

Parents interested in adopting a foreign-born child contact the appropriate office of the provincial social service ministry. The ministry, or in some provinces an approved agency or individual, determines the suitability of the applicants by means of an in-depth, systematic assessment commonly referred to as a "home study". Suitable parents discuss with the social worker the age of child and country of origin from which they wish to adopt. These details, together with the completed home study, are forwarded to the National Adoption Desk, Health and Welfare Canada. The Adoption Desk ensures that the application and accompanying documents are in order, then forwards these to the country chosen by the applicants. There follows a waiting period of between one and two years during which the sending country assesses the application and, if acceptable, prepares information on a suitable child who is, or becomes available for, adoption. Information on the selected child is forwarded to the Adoption Desk and, in turn, to the social worker assigned to the parents. If the parents decide to proceed with the adoption the paperwork necessary to obtain an immigrant visa for the child is completed and the child is prepared to leave his or her country of birth. Once in Canada the adoption is completed in the province of residence of the parents according to requirements prescribed by statute. During this period the provincial ministry and the child's country will communicate regarding the progress of the adoption, with the Adoption Desk acting as a liaison between the two.

There are three components of this "ideal" process which should be understood in some detail. First is the role of the National Adoption Desk. Second is the role of the provincial social service ministry and courts as prescribed by legislation. And third is the role of Employment and Immigration Canada as set out in the *Immigration Act* and *Regulations*. Each of these is discussed below.

(i) National Adoption Desk

International adoption became visible in Canada in the mid-1950s and early 1960s, first in Ontario and British Columbia and later in Québec. In 1973 a federal-provincial committee was established to discuss international adoption policy as a result of a perceived lack of jurisdictional coordination respecting international adoption. On the basis of the committee's recommendations an Adoption Desk was established within Health and Welfare in October 1975 (Lipman 1984, 37). All provinces except Québec chose at that time to participate in the services provided by the Adoption Desk. (Services offered by Québec are described in the following section of this paper.)

The central functions and services of the National Adoption Desk in the area of international adoption are as follows:

- Negotiating agreements to establish international adoption programs with governments/approved agencies in other countries.

- Coordinating individual international adoption cases through provincial/territorial adoption authorities. These cases include a number of placements each year of children from countries with which there are no on-going established adoption programs.

- Coordinating federal responsibilities relating to adoption. The National Adoption Desk confers with other federal departments having responsibilities relating to international adoptions (extracted from Canada, National Adoption Desk 1988).

In terms of its decision-making authority, the Adoption Desk does not unilaterally establish international adoption policies. The Adoption Desk is served by an advisory Committee of Adoption Coordinators comprised of Coordinators from each of the provinces and territories. Other federal departments which have jurisdictional responsibility in the area, notably Employment and Immigration, also provide direction to the Adoption Desk.

It is useful at this point to establish the importance of the Adoption Desk in relation to the total number of children entering Canada for the purpose of adoption each year. Table 5 in the previous part of this paper presented the total number of FC6 landings annually between 1978 and 1988. Table 7 compares these annual totals, excluding Québec, to the number of placements of international orphans in which the Adoption Desk was actively involved in each year.

Table 7 reveals that over time the National Adoption Desk has played an increasingly important role in the processing of international adoption cases completed in Canada. Indeed, all of the adoption coordinators interviewed by phone stressed a strong preference for working with the Adoption Desk to facilitate this type of adoption. (Alternative methods available to parents are discussed below.)

As placements by the National Desk have increased so too have the number of applications for international adoption forwarded to the Desk from the provinces. In 1978, 81 applications were received; in 1987 there were 325. At the end of 1987 there were an accumulated total of 526 applications in process (Canada, National Adoption Desk, unpublished data).

TABLE 7

ROLE OF THE NATIONAL ADOPTION DESK IN THE IMMIGRATION OF CHILDREN FOR THE PURPOSE OF ADOPTION (FC6 LANDINGS)

Year	Total Landings (FC6)[1]	Placements by the Adoption Desk[2]	
		Numbers	as a % of total landings
1978	89	25	28.1
1979	111	38	34.2
1980	98	36	36.7
1981	95	50	52.6
1982	127	68	53.5
1983	146	87	59.6
1984	124	91	73.4
1985	153	133	86.9
1986	135	116	85.9
1987	198	128	64.6

Notes:
(1) Excluding landings for which the province of intended destination was the province of Quebec.
(2) Placements by the National Adoption Desk include a small number of adoption cases which are completed abroad and are not therefore FC6 landings. Data prepared by the Adoption Desk do not distinguish between adoptions completed abroad and those completed in Canada.

Sources: FC6 landings for provinces excluding Quebec extracted from Employment and Immigration, Landed Immigrant Data System, unpublished data. Placements by the Adoption Desk obtained from the National Adoption Desk, unpublished data.

Even parents who choose to complete an international adoption using the services of the Adoption Desk may face significantly different application requirements, waiting periods, and expenses depending on the country from which they choose to adopt. (All information on country requirements was obtained from country fact sheets provided by the National Adoption Desk.)

The National Adoption Desk currently has working agreements with four countries which allow children to emigrate to Canada for the purpose of adoption, without requiring that before or after emigration the adoption also be legalized in the home country. These countries are Hong Kong, Korea, the Philippines and India. (The Desk also has concluded agreements with Brazil, Colombia, St. Vincent and El Salvador for adoptions to be completed abroad.) Of 128 placements completed by the Adoption Desk in 1987, 82 children were from Korea, nine from Hong Kong, seven from India and six from the Philippines. (Canada, National Adoption Desk, unpublished data). The remainder (24 children) were either from countries with which the Adoption Desk has no formal agreements or were from countries which require completion of the adoption abroad (see section B(i) below).

Countries stipulate different requirements of parents. Most stipulate a minimum period during which applicants must have been married (generally three years, but five years for adoption from Brazil or El Salvador). Countries such as Hong Kong, the Philippines and Korea do not accept single applicants; others such as El Salvador, India and St. Vincent do allow singles to adopt. There are a variety of age requirements which may be applied to applicants. Generally, applicants must be between the ages of 25 and 45 years and cannot adopt a child too old to be their child by birth. Finally, some countries state ethnic preferences, such as Hong Kong's preference for childless Chinese couples who cannot have children and a preference in the Philippines for Filipino applicants.

The children available for adoption also vary in terms of sex, age and physical health. There may also be crucial differences between countries in the likelihood of adoptees having been abandoned, as opposed to relinquished at birth. Although there is little available information on differences between countries in the rate of abandonment, this may determine the extent of background information available on the family, medical and social history of the child. Most countries have both boys and girls available for adoption, though the Philippines has very few girls and Hong Kong has none (as of July 1988). Korea, St. Vincent, India and Colombia have children of all ages; other countries such as Hong Kong and the Philippines may have few or no infants available. Finally, in the case of Brazil only children six years of age and older are available for international adoption. Information available for El Salvador explicitly states that most of the younger children adopted will suffer from some degree of malnutrition.

The expense incurred in completing an international adoption varies according to the country involved. The most significant expense is the cost of travel and accommodation if one or both parents are required to travel to the country of origin. (For an adoption to be completed abroad one or both parents must generally be present in the country for a minimum of seven days.) The latter is not required of parents completing adoptions in Canada for children from Hong Kong, Korea, the Philippines or India. Parents who do not travel abroad to meet their children must nevertheless cover the air fare and other expenses of escorts for their children. These costs may be shared by several parents. Fees paid to agencies abroad to cover adoption expenses range from a low of $552 (US) in the Philippines to a high of $3,550 (Cdn) in Korea. The reasons for variation in these processing fees are not clear.

(ii) Provincial Adoption Legislation

With the exception of Manitoba, none of the provinces or territories makes specific provision for the special circumstances of international adoption through legislation. Rather, provincial adoption statutes or child welfare statutes with adoption provisions refer only to the general legal process which must be followed by residents of the province wishing to adopt. International adoption has evolved as a matter of policy, not legislation. The purpose of this section is to describe provincial practices and, in some cases, legislative provisions relevant to international adoption and to highlight significant variations therein.

All provinces work through the National Adoption Desk to facilitate adoptions of children from countries with which the Desk has working agreements. The province itself does not negotiate with foreign governments on behalf of parents. In some provinces the issue of non-governmental organizations actively seeking out foreign-born children and

assisting adoptive parents has, in the past, been raised. It appears that in all provinces except Ontario parent organizations and private agencies have been actively discouraged from playing the role currently carried out by the National Adoption Desk. Nova Scotia has explicitly stated that non-governmental organizations in that province will not, in the foreseeable future, be allowed to negotiate directly with foreign governments and agencies (Drysdale 1989). Similarly, Alberta recently considered and rejected a greater role for licensed private agencies in the province in coordinating international adoption (Lea 1989). (An exception to policies regarding non-governmental involvement would seem to be the role of Families for Children, a private charitable Canadian organization discussed in section A(i)(d) below.) In the case of Ontario, licensed non-governmental agencies play a greater role in domestic adoption than is the case in most other provinces. Accordingly, an estimated six licensees have been granted special terms which enable them to bring foreign-born children into Ontario for the purpose of adoption (Ontario 1984, s.135 (2); Webber 1989). The National Adoption Desk would not play a coordinating role in such adoptions.

The provinces appear to have similar requirements regarding the timing of the home study in international adoption cases, though this is a matter of policy and not legislation. For an adoption to be completed in the province a favourable home study must be obtained by the parents prior to making enquiries abroad or proceeding with steps leading up to immigration of the child. Currently in Ontario, and in Alberta under the provisions of the new Child Welfare Amendment Act, it will be possible for parents to have the home study completed privately by a social worker for a fee. However, it appears that in both provinces ministry officials are responsible for forwarding completed home studies to the National Adoption Desk and may, in this sense, conduct a limited "review" of studies completed privately.

In most provinces adoption legislation makes explicit reference to the form of consent which is required by provincial courts to finalize the adoption of children born in-province and of foreign-born children. With respect to adoption of children born in-province, consent provisions contained in provincial legislation may be elaborate. There may be provision for any or all of the following: prior counselling of the birth parents; time period which must be observed following the birth before a legal consent to adoption may be given; the right to withdraw a consent within a specified period; and the right of the birth parents to be informed of any adoption order respecting the child who has been relinquished. In comparison, legislated requirements for consent granted by parents or guardians residing outside Canada are simple. Most provinces require only that the consent be granted in a manner which complies with the laws of the foreign jurisdiction, regardless of provincial requirements for local adoptions. Only Prince Edward Island goes beyond this basic stipulation, by requiring that the child be fourteen days old at the time the consent is executed outside the province (Prince Edward Island 1974, s.8). Newfoundland and the Northwest Territories make no reference to the requirements for consents granted outside the province. It would appear on the basis of interviews conducted by the author that, in practice, neither provincial nor federal officials involved in international adoption are aware of the form which foreign consents actually take, nor of variations between countries in the procedures followed in obtaining legal consent to adoption.

Countries which allow adoption by Canadian residents generally require monitoring of the placement from the time the child arrives in Canada until the adoption is finalized in a Canadian court. (Usually this trial period is six months in duration.) Monitoring usually takes the form of progress reports and photographs which are prepared by the provincial ministry (or by a private agency in Ontario) and forwarded to the country by the Adoption Desk. However, some countries have requested long-term monitoring of the placement beyond the time of finalization in Canada, perhaps up to 10 years after the child's emigration. Since provincial ministries have no legal mandate nor obligation to monitor or assess a family once a court order of adoption has been granted in the province, they have had to refuse such requests for prolonged post-placement monitoring. However, in some parts of Canada parents may still be able to meet the post-placement requirements of foreign governments by relying on private organizations. In Ontario monitoring prior to finalization of the adoption is carried out by the Children's Aid Society or private licensed agency. Beyond this period parents may contract with a private social worker to prepare intermittent progress reports on the child. In British Colombia parents may also avail themselves of the services of a private social worker. B.C. reports that the province has, on occasion, agreed to verify for a foreign government the professional standing of a social worker conducting post-placement assessments in the province. However, the ministry will in no way review or supervise such assessments (VanderPol 1989). It is not clear whether provincial restrictions on post-placement monitoring have influenced the prospects of applicants for international adoption in those provinces where private services are not available.

The final aspect of provincial adoption legislation which may impinge upon international adoption is the direction given to the courts and/or provincial office of Vital Statistics regarding distribution of the order of adoption. In the case of an adoption of a child born in-province, legislation generally directs the court to retain the original copy of the adoption order. Copies are distributed to the adopting parents, to the appropriate director of provincial child welfare services and, finally, to the Director of Vital Statistics. With respect to a child born outside the province, provincial legislation may specify that an additional copy of the adoption order be forwarded to the Director of Vital Statistics (eg., Saskatchewan 1978, s.68(2)). Presumably, this extra copy of the order is in turn forwarded to the office responsible for maintaining vital statistics in the child's place of birth. Only Manitoba (1985, s.60(5)) makes *explicit* provision in adoption legislation for the forwarding of adoption information to the child's country. Although the issue of distribution of information regarding adoption orders may seem, at first glance, to be of only bureaucratic importance it is vitally important to those social workers, parents, and adult adoptees who advocate a more "open" system of record keeping in which adoption information would be available to birth parents and adult adoptees with a mutual interest in such disclosure. Although international adoption has historically been associated with abandoned children for whom little information may be available, in some countries, such as Korea, a larger proportion of international adoptees may now be infants relinquished by their mothers at birth (Daniel 1989). Identifying information on these children may be more readily available; disclosure of adoption information at a future date is only possible if information on the particulars of adoption of the child in Canada is also available.

(iii) Immigration Act

As was discussed in part four, above, the federal *Immigration Act* and *Regulations* specify the conditions under which children may be brought to Canada for the purpose of adoption. Most important are the requirements: that the child be orphaned, abandoned or under the guardianship of a child welfare authority; and that the adoptive parents sign a formal undertaking of sponsorship as required for all family class immigrants. There is an additional requirement worth noting in the context of the preceding discussion of provincial adoption legislation and policy. At section 6(1)(c) the Immigration Regulations require a visa officer to obtain a letter of "no objection" from the child welfare authority of the government of the province in which the child is to reside. Technically, this letter is to indicate that the province has "no objection to the proposed arrangements for the reception and care of that child . . .". In practice, this regulation provides a legal link between the immigration of the child and the provincial responsibility to conduct a home study and to thereby be informed *in advance* of the parents' intention to bring a child into the province for the purpose of adoption. In theory, an immigrant visa will not be provided for a child if the parents have not first undergone a home study and whatever additional requirements the province may impose for release of the letter of no objection. Interviews with adoption coordinators reveal that in rare instances parents do attempt to bring a child into the country for the purpose of adoption without the prior involvement of the province. It appears that in these cases children are granted a visitor's permit or minister's permit by immigration authorities to remain in Canada while child welfare authorities investigate the case.

(iv) Other Actors

Data presented in Table 7 suggest that in a given year a number of children enter Canada for the purpose of adoption without the involvement of the National Adoption Desk as intermediary. In 1987, for example, there were 198 FC6 landings but only 128 placements by the Adoption Desk. Allowing for possible differences in the year during which particular cases are finalized by Employment and Immigration and the National Adoption Desk, respectively, some attempt must still be made to account for the difference in landings by EIC and placements by the Adoption Desk. Ontario would account for a portion of the difference, given that provincial legislation allows private licensees to coordinate international adoption without necessarily working through the National Adoption Desk. A more detailed study of practices in Ontario would be necessary to determine how licensees actually operate and the extent, if any, of their collaboration with the National Adoption Desk.

It is also likely that a number of children are entering Canada annually under the care of Families for Children, an independent charitable organization which operates adoption programs in India and El Salvador. Families for Children has a reciprocal relationship with the National Adoption Desk in which parents requesting children from El Salvador or India are referred directly to the organization. Families for Children may, in turn, request the assistance of the Desk in processing particular cases through the necessary Canadian procedures (White 1989). The organization is "national", but it is unclear from the research conducted to date whether it is interested and/or allowed to operate in all of the provinces and territories. The requirements for adoption through Families for Children vary in important respects from those dictated by the National Adoption Desk. Parents "cannot" travel to the country to receive their child but must allow the child to be escorted

by representatives of the organization. Adoptive parents of children from India must agree to keep in touch with Families for Children until the child reaches adulthood. Applicants pay a "subsidized" total fee of $1,500 toward the cost of adoption but must also agree to provide non-monetary assistance to the organization and to sponsor children overseas who are in the care of Families for Children at a cost of $12 per month (Canada, National Adoption Desk, various dates). In the case of adoptees from El Salvador, Families for Children "supervises" the placement until the child reaches the age of majority. Further research is required to ascertain the frequency of adoptions coordinated by Families for Children and to determine whether in particular provinces or regions other independent organizations are currently involved in bringing children to Canada for the purpose of adoption.

(B) Procedures Within Québec

From Table 5 it is apparent that with the exception of the most recent year, residents of Québec have traditionally completed more international adoptions than in any other province of Canada. The high volume of international adoptions in Québec is attributed by observers to greater demand on the part of parents (White 1989). Indeed, recent media reports have suggested that as many as 1,500 families in the province are awaiting placement of an international adoptee (*The Gazette* 1988b). Officials in Québec confirmed a waiting list of 1,200 applicants as of October 1989 (Québec, Conseil 1989). In addition to a higher volume of placements, Québec has established a markedly different procedure for international adoption and has been the first province in which international adoption procedure has become the focus of protracted public controversy.

There have recently been significant changes in international adoption procedures in Québec as a result of the passage of legislation (Bill 70) in June 1990. To clarify current procedures an attempt is made below to summarize other significant legislative enactments prior to 1990.

Québec was the only province to decide in the mid-1970s not to participate in the services offered by the newly-established National Adoption Desk. Since 1982 international adoptions in the province have been coordinated by Le Secrétariat à l'adoption internationale, a bureau which is part of le Ministère de la Santé et des Services sociaux. The federal immigration policy manual stresses that *only* the Secrétariat may approve the adoption of a particular child by parents in Québec and that this adoption authorization must be obtained before Canadian immigration procedures are begun (Canada, Employment and Immigration various dates, IS 7.20). The immigration of international adoptees is therefore the joint responsibility of Employment and Immigration Canada and the Ministère des Communautés culturelles et de l'Immigration du Québec (MCCIQ).

In 1987 the government of Québec secured passage of Bill 21, An Act respecting adoption. At the time critics claimed the Bill imposed unnecessary restrictions on international adoption; the government responded that the procedures established by the Bill were necessary to prevent baby trafficking (*The Gazette* 1988a). The official notes accompanying the Bill indicated its object was "to require an adopter *intending* to adopt a child outside Québec to apply to the court for approval of his *plan* for adoption" (Québec, National Assembly 1987, emphasis added).

Québec thereby became the only province in which parents were required to approach a Canadian court in advance of the placement of an international adoptee to request an "order of placement". In practice, home studies could be completed by a private organization specially licensed by le Ministère de la Santé et des Services sociaux to conduct international adoptions. In providing an order of placement the Québec Court was required to satisfy itself that the rules regarding consent to adoption and eligibility of the child for adoption would be observed (Québec, National Assembly 1987, section 1). At a later stage the adoption would be finalized by the Québec Court following a trial period, as is the case in the other provinces.

Although Bill 21 specified that to "ensure the respect of children's rights" le Ministère de la Santé et des Services sociaux must coordinate international adoption, the Bill also allowed the Minister to sign agreements with private organizations for the purpose of fulfilling such coordination. In 1988 the activity of such organizations prompted a public debate of international adoption procedures in the province.

Bill 21 became effective in August 1987. By March of the following year editorial writers at *The Gazette* (1988a) were reporting a waiting period of five years or more for parents wishing to adopt a child born outside Canada. The government of Québec had apparently acknowledged that the number of international adoptions (including those completed abroad by residents of the province) had, over time, declined. The paper also reported that adoption expenses incurred by adoptive parents had risen -- to a total of up to $15,000 -- because of the need to pay legal fees to comply with the requirement for prior court approval of the adoption.

In September 1988 international adoption was in the news once again when an international adoption agency, L'Arc en ciel Inc., declared bankruptcy and was unable to return fees of up to $7,000 paid by at least 30 couples for the arrangement of adoptions in Mexico. At the time L'Arc en ciel Inc. was one of five non-profit adoption agencies approved by the Secrétariat to arrange adoption of foreign-born children (*Montreal Daily News* 1988).

In October 1989 le Conseil des Communautés culturelles et de l'Immigration du Québec responded to continuing controversy regarding international adoption with the preparation of a research paper and series of recommendations. Of special relevance was the recommendation that in order to reduce delays in adoption, adoption applicants no longer be required to seek approval from the Youth Court of their plan for adoption (Québec, Conseil 1989, 45). The government acted on this recommendation (among others) with the passage of Bill 70 in June 1990. In the case of adoptions to be completed in Québec the home study of prospective parents must be completed by the director of youth protection, and not by a private agency. However, parents are not required to use the services of Le Secrétariat or one of its approved agencies to *locate* a child available for adoption. Le Secrétariat, acting on behalf of the Minister, must be informed of the applicant's intention to proceed alone and will, if necessary, confirm with authorities in the child's country of origin that no irregularities take place (Québec, National Assembly 1990).

ADOPTIONS COMPLETED ABROAD

(A) Procedures Outside the Province of Québec

The role of federal and provincial officials in the adoption of children abroad by residents of Canada is complex and, again, is more a matter of policy than legislative enactment. The objective of this section is to describe what is known about current procedures; information was obtained from a reading of the relevant legislation and from interviews with federal and provincial officials.

There are interesting variations in the services provinces provide to parents adopting abroad. Some, but not all, countries which grant adoptions require home studies to be completed in the applicant's country. In Ontario and British Columbia parents may contract with private social workers or licensed agencies for the completion of such studies. B.C. officials do not supervise or otherwise review such home studies (VanderPol 1989). Ontario child welfare officials apparently take the opposite approach and will indicate to the country involved that the home study meets with the ministry's approval (Webber 1989). An adoption official in Manitoba revealed an interesting situation in which the province has agreed to provide home studies for adoptions completed in a particular country, only to find that the province's recommendation *against* an applicant may be ignored and the adoption completed in spite of provincial objection. The National Adoption Desk has confirmed that home studies have been ignored by one (unnamed) country. Letters of protest from Manitoba have been forwarded to the country involved. The National Adoption Desk has not, however, been prepared to stop dealing with this country altogether because of concerns that prospective adoptive parents would react negatively to such a move (White 1989).

The National Adoption Desk each year assists with only a small number of adoptions which are ultimately completed outside of Canada. Canada has working agreements with Brazil, Colombia, St. Vincent and El Salvador for the processing of such cases. (Adoptions in El Salvador are also handled by Families for Children.) In 1987 the National Adoption Desk coordinated a total of eight placements from El Salvador, six from Brazil and none from Colombia or St. Vincent (Canada, National Adoption Desk, unpublished data).

Adoption legislation in each of the provinces and territories includes a general provision which allows that an adoption effected according to the law of another jurisdiction has the same effect as an adoption completed within the province. With the exception of Manitoba, provincial legislation mandates no role for child welfare authorities in approving or supervising an adoption completed abroad. In Manitoba (1985, s.70(3)), persons applying in another country to adopt a child are to notify child welfare officials, in order that the latter may verify that the foreign government supports the adoption of the child and that necessary supporting documentation for the child's adoption has been provided by Manitoba.

In practice, all of the provinces have at various times been involved in adoptions abroad not because of requirements of their own legislation, but based rather on federal immigration regulations.

Immigration requirements for a child adopted abroad are identical to those for a child brought to Canada for adoption in a provincial court. That is, a letter of no objection is supposed to be provided by child welfare authorities prior to issuance of an immigrant visa for the child. However, interviews suggest that, in fact, some provinces have never been prepared to provide letters of no objection for children adopted abroad. Others have provided such letters on a sporadic basis. Where letters of no objection are not available it is necessary to issue a Minister's Permit in order that an adopted child may be brought to Canada.

The provinces argue that they have no legal mandate to investigate a family's suitability for adoption unless the adoption is to be completed in the province. Without such an investigation, or home study, the province has nothing on which to base a letter of "no objection". Thus, Alberta never provided letters for adoptions completed abroad (Skully 1989); B.C. "rubber stamped" such letters until 3 or 4 years ago, then stopped providing them (VanderPol 1989). Nova Scotia and Manitoba have more recently stopped issuing letters of "no objection" (Drysdale 1989; Curtis 1989). Ontario reports that standard practice in the province has been to supply Employment and Immigration with a letter of "no involvement" for adoptions to be completed abroad.

However, a pending change in immigration regulations may resolve the current ambiguous treatment of adoptions completed abroad. In October 1990 the Minister of Employment and Immigration announced immigration levels for the period 1991 through 1995. At the same time the Department lifted the current regulation which restricts the immigration eligibility of adopted children to those adopted before the age of 13. The regulation had been promulgated in 1976 in order to stem the tide of "adoptions of convenience" - that is, adoptions taking place solely to qualify children for immigration to Canada. In removing the age restriction the Minister acknowledged that there are instances in which older children who require parental care are adopted in good faith by a family seeking to immigrate to Canada.

The Department is therefore in the process of devising new regulations to facilitate the entry of older children adopted abroad. However, the regulation being considered by departmental officials at the time of writing this report would have broad implications for all adoptions completed abroad, regardless of the age of the adopted child. To prevent abuse of immigration regulations governing adoptions completed abroad, the Department plans to require oversight of the adoption by an independent agency concerned with child welfare. This oversight process would apply to children of all ages and would probably obviate the current formal necessity for provincial involvement in the immigration process for children adopted abroad. The new regulation would therefore resolve the contradiction between immigration regulations and the legal authority of provincial child welfare ministries with regard to adoptions completed abroad. It would also delegate considerable responsibility to one or more non-governmental organizations, which would not be held publicly accountable for their decisions.

Finally, the forementioned effort to revise immigration regulations governing adoptions completed abroad is still underway and could be scuttled by a seemingly unrelated case which is before the Canadian Human Rights Commission. Because the case is currently before a conciliator the Commission is not able to release details of the case nor to discuss its policy implications. However, it is known that a Canadian citizen residing abroad has charged that the Canadian Citizenship Act discriminates against children she

adopted abroad by requiring that the children become permanent residents of Canada as a prerequisite to seeking Canadian citizenship. The parent argues that had she borne children while abroad, those children would automatically have been entitled to Canadian citizenship. The parent has no intention of returning to Canada with her adopted children, who are therefore unable to receive permanent resident status and citizenship.[5] Although this human rights case was initiated by a Canadian living outside Canada, the potential legislative remedy would appear to affect all adoptions completed abroad. That is, the government could decide to remove the requirement for children adopted outside Canada to be granted permanent resident status upon entry into Canada. Such children would no longer be subject to immigration processing; their adoptions would accordingly not be reviewed by provincial child welfare authorities, as provided in current regulations, nor by an independent agency, as proposed by the government in 1990.

(B) Procedures Within Québec

Unlike the other provinces and territories, the laws of Québec do not contain a blanket provision allowing that an adoption completed according to the laws of another jurisdiction shall have full force and effect in the province. Rather, Bill 21 allowed that an adoption judgement rendered outside Québec would have the same effect as one rendered in Québec only on "certain conditions" (Québec, National Assembly 1987, explanatory notes).

When an adoption takes place outside Québec the adoption decree must be formally scrutinized and recognized by the Youth Protection Court in order for the child to have the same civil rights as children residing in the province. Until the passage of Bill 70 in 1990 the prospective adopter was required to apply to the court in advance for approval of his or her plan to adopt abroad. As in the case of adoptions to be completed in the province, an adoption decree is granted only if the court is assured that rules regarding consent and eligibility of the child for adoption are observed (Québec, National Assembly 1987, section 1). In order to secure an immigrant visa for the child, Employment and Immigration must be informed that the Secrétariat approves of the placement on the basis of a favourable home study.

Bill 70 (1990) introduced some discretion in the process of acquiring a home study for an adoption to be completed abroad. Parents were previously required to have the home study completed by provincial child welfare authorities. Parents are now able to pay for a private home study. However, legislation stipulates that only members of either the professional association of psychologists or the professional association of social workers may conduct home studies. The names of accredited members are to be provided to the Minister of Health and Social Services. Home studies are to be made on the basis of criteria agreed between the two professional corporations and the Director of Youth Protection (Québec, National Assembly 1990). Québec authorities thereby maintain a role, through recently circumscribed, in adoptions completed abroad. This is in marked contrast to procedures outside Québec, where child welfare authorities play no role in adoptions completed abroad.

The federal immigration manual also cautions visa officers charged with processing the applications of Québec parents that the Québec courts will only recognize an adoption decree granted abroad if the foreign country has an adoption law and the adoption severs ties with the natural parents (Canada, Employment and Immigration various dates, IS 7.15). It is possible, but difficult to confirm in the absence of reliable data, that there are significant differences between Québec and the other provinces in the origin of children brought to Canada following adoption abroad. Parents outside Québec may be able to adopt children from Pakistan, which has no adoption law, and from the several Latin American countries which allow only simple adoption. It would seem that these countries are closed to adoptive parents in Québec.

Finally, the Québec government has publicly stated its intention to assist prospective adoptive parents by reducing delays and increasing the number of placements which can be successfully completed each year. Bill 70 was, of course, directed toward this goal. In addition, Québec's immigration services abroad have been assigned the task of compiling information on potential sources of children available for adoption and on the relevant laws and regulations of their country of origin (Québec, Ministère des Communautés culturelles et de l'Immigration 1990, 36).

PART SIX THE ROMANIAN CASE

It is necessary, given the objectives of this paper, to review briefly the chronology of recent events in Romania as they have affected the practice of international adoption in Canada. The Romanian case is exceptional in that it is the first time since the conclusion of the Vietnam war that a perceived "emergency" has resulted in the adoption of large numbers of children from a particular country. International adoption from Romania has accordingly attracted a lot of media and public interest and raised pertinent questions about the role of various Canadian actors.

In December 1989 the Romanian dictator Nicolae Ceauesescu was deposed and executed. In the following weeks the legacy of Ceauesescu's social policies received intensive media coverage in the West. Most notably, it was revealed that since 1966 abortion had been illegal for any woman who had not given birth to a set number of children (four or, more recently, five). This policy had over time resulted in the abandonment of large numbers of children -- Canadian observers have estimated that as many as 100,000 children are being cared for in 250 state institutions (*Maclean's* 1990). Televised visits to some of these hospitals and orphanages early in 1990 showed conditions to be squalid and inhumane by any standard. The reaction of prospective adoptive parents in the West was immediate; interest in adopting Romanian children has not abated since, despite frequent shifts in the position of the Romanian government vis-à-vis the practice.

In early 1990 there were repeated rumours that the Romanian government would ban all foreign adoptions on the basis of unfavourable media reports that babies were being "bought" through direct payment to indigent parents and/or bribes to government and judicial officials. Canadians in Romania attempting to adopt reported long delays and major obstacles in their attempts to finalize adoptions in the country.

In mid-June all adoption claims were put on hold pending passage of regulations which would both preclude baby trafficking and reduce delays in legitimate adoptions. On July 31 a new Romanian law was passed which stipulated that all foreign adoptions would henceforth be authorized by administrative judges in 39 districts across the country. Authority to grant adoptions had previously resided with the central government.

In February 1991 there were once again media reports that Romanian procedures would be revised to prevent the sale of Romanian children to wealthy Westerners. The National Adoption Desk has confirmed that a Romanian Commission has been established to compile a master list of all children *legally* available for adoption in the country. Adoption cases in progress will be put on hold pending compilation of the list and henceforth all adoption requests will be approved by the Commission before being submitted to local courts (Daniel 1991).

As events unfolded in Romania, newspapers across Canada began to carry human interest stories on Canadian parents who had successfully pursued the private adoption of Romanian children. In Ontario and British Columbia support groups were formed by concerned parents, both to assist other Canadians with adoption and to channel aid to Romanian institutions. At the time of writing, Canadian parents continue to pursue private adoption in Romania, against the backdrop of a variety of interventions by federal and provincial officials.

Early in 1990 the adoption coordinator for the province of Saskatchewan undertook a fact-finding mission in Romania. The government's initiative was apparently prompted by pressure from Saskatchewan residents of Romanian ancestry, who took particular interest in the plight of children in Romania. The coordinator has subsequently returned to Romania with Saskatchewan parents to facilitate several adoptions. In this context she also initiated a meeting of officials from Health and Welfare, Employment and Immigration and External Affairs to discuss adoption procedures and to pinpoint particular areas of difficulty in processing Romanian cases. It appears that provincial adoption officials in other provinces have not travelled to Romania, nor have they developed any "fast track" procedures for processing applications for home studies from parents preparing to travel to Romania. Media reports suggest that parents are obtaining private home studies to avoid long waiting lists.

In late April 1990 representatives of the National Adoption Desk also travelled to Romania in the hope of establishing a bilateral adoption agreement, which would, in turn, enable the Desk to assist Canadian parents with adoption, as described in part five, above. The Desk's mission was unsuccessful because there was no central Romanian authority or government-approved agency charged with responsibility for international adoption; the Desk does not have a mandate to work with lawyers or other private actors on an official basis. The provinces are obviously anxious for the Desk to establish a bilateral arrangement which could assist prospective adoptive parents. (Such an agreement would, presumably, reduce pressure on provincial officials to take an active role in Romania, as Saskatchewan has done.) With the recent appointment of the Romanian Commission the Desk will, once again, endeavour to establish an official arrangement with the country (Daniel 1991).

As the Romanian situation developed in early 1990 the Department of Employment and Immigration was referring prospective adoptive parents to the Canadian embassy in Belgrade, which has responsibility for processing visa applications from Romania. Immigration officials privately confirm that to date Minister's Permits have facilitated the admission of most adopted Romanian children on the basis that provinces other than Québec and Saskatchewan have played no role in the process and are not able, or are not asked, to provide letters relevant to the visa applications received. In September 1990 a visa officer was posted to Bucharest; his job is primarily the processing of visas for adopted children. As is the case with all adoptions completed abroad, this official receives no advice or assistance from child welfare officials.

An important by-product of the Romanian situation has been the re-activation of a federal interdepartmental committee to review policy on international adoption. The committee is comprised of representatives of the National Adoption Desk, the Intergovernmental and International Affairs Branch of Health and Welfare Canada, Employment and Immigration Canada, the Department of Justice and External Affairs. In

addition to the general policy questions summarized in part seven of this paper, below, the Romanian situation illustrates several points of potential interest to the committee.

First, in circumstances where an adoption must be completed abroad, as opposed to in Canada, policies of the sending country will be the primary determinant of the length of time and procedures required for Canadian parents to adopt. In a situation of crisis and instability, adoption policies and procedures in the sending country may change frequently and without warning. In the current example, Canadian parents already in Romania incurred significant expenses in their attempts to finalize adoptions; many appear to have been unprepared for the delays and expenses they encountered. A bilateral agreement between Canada and the sending country is obviously the ideal vehicle for resolving uncertainty and ensuring Canadian parents are kept abreast of relevant changes in policy and procedure. However, in situations in which it is not possible to negotiate such an agreement, it is still vital that parents have a consistent, reliable source of information and advice.

Second, official intervention by Saskatchewan seems to have been very useful in processing adoption applications. For example, the provincial adoption coordinator was successful in securing the designation of a medical officer located near a rural orphanage of interest to the Saskatchewan parents. (The job of the medical officer is to conduct medical examinations of prospective adoptive children in accordance with Canadian immigration requirements). The designation of this officer apparently reduced delays in processing and eliminated the need for travel to the only other designated medical officer, located in Bucharest. In this and other respects it would be useful to contrast the experience of parents from other provinces, who did not have the assistance of a provincial official in Romania.

Third, in the absence of counselling and support by Canadian/provincial officials in Romania, private support groups were formed to perform a variety of functions, including the distribution of aid to orphanages. It would be useful to review the activities of these organizations in two respects. First, immigration regulations announced in October 1990 countenance a new role for child welfare agencies in the immigration of children adopted abroad. The mandate of these organizations may be constructed in part to correspond with that carried out by parent support groups in the Romanian case. Second, given the shifting Romanian response to international adoption, Romanian officials should be asked to comment on the activities of private Canadian organizations in Romania. They could also advise the Canadian government on the appropriate role for an agency to be designated in accordance with the new immigration regulations.

PART SEVEN CONCLUDING COMMENTS

This paper has demonstrated that, in keeping with world-wide trends, international adoptions have become more frequent in Canada over the course of the past decade. The increased incidence of international adoption is related to a decline in the number of Canadian-born infants available for adoption; at the same time as international adoption has gained prominence, adoption of Canadian-born children has declined. There is evidence that the demand by prospective adoptive parents for international adoption still exceeds the increasing number of prospective adoptive and adopted children who do enter Canada each year.

In addition to the pressure exerted by parents, the federal government has also been subject to recommendations from Parliament and the bureaucracy calling for renewed efforts to stimulate the flow of international adoptees into Canada. Initially, such recommendations were couched in demographic terms: the immigration of children could be used as an offset to Canada's low fertility rate. More recently, however, policy makers appear to have discarded this argument, in keeping with academic research which demonstrates that international adoption can have little impact on the rate of growth and age structure of the Canadian population. Pressure on the federal government is now largely a reflection of the frustration experienced by adoptive parents faced with long waiting lists, high costs and cumbersome bureaucratic procedures.

The first objective of this paper has been to describe the history and current practice of international adoption in Canada. On the basis of the limited research to date in this area the author is not in a position to make conclusive policy recommendations nor to suggest procedural reforms. However, the description presented in this paper does suggest several policy areas which must receive further consideration before the federal government responds to recommendations which have been made elsewhere. The objective of this final section is, therefore, to summarize the issues which should be resolved by policy makers.

INTERNATIONAL ADOPTIONS COMPLETED IN CANADA

Any attempt to revise policy with respect to adoptions completed in Canada should take account of recent international developments, which suggest that sending countries will come under increasing pressure to safeguard the interests of their children by concluding detailed bilateral or multilateral agreements with all receiving countries. In the case of countries which permit children to emigrate to Canada prior to the finalization of an adoption, it is reasonable to expect increased vigilance with respect to Canadian adoption policy and procedures.

Specifically, as a signatory to the United Nations Convention on the Rights of the Child, Canada will have to accept responsibility for obtaining and updating accurate information on the regulations governing consent to adoption in the countries from which Canadian parents currently receive adoptees. Provincial courts may also be required to scrutinize the process for obtaining consent in individual cases as a prerequisite to granting an adoption decree.

At present, provincial legislation (with the exception of Québec) does not *require* vigilance on this issue; all that is required by provincial adoption statutes is that the consent be valid in the adopted child's jurisdiction. Québec has built in an additional protection for the child by demanding that the Québec courts scrutinize the foreign requirements for consent before providing an adoption decree in the province. Given, however, that some countries do not make legislative provision for consent and/or that consents may be obtained from the birth parent(s) by agencies which also receive fees from prospective adoptive parents, it may be incumbent upon Canadian officials to be more discriminating regarding the issue of "valid" consent in the foreign jurisdiction. The current lack of interest in this issue is especially surprising given the precautions stipulated in provincial legislation to ensure that *Canadian* parents who choose to relinquish their children for adoption are given every legal protection against submitting a forced, uninformed or invalid consent.

A second procedural issue which deserves further attention concerns home assessments (or studies) conducted in the provinces and forwarded by the National Adoption Desk to the sending country selected by Canadian parents. From the perspective of the sending countries, home studies forwarded in this manner may be assumed to meet with the professional approval of Canadian child welfare officials. However, in Alberta and Ontario, and possibly in other provinces, home studies may be conducted by third parties who receive a fee from the prospective adoptive parents. There is, in such a situation, potential for conflict of interest. It is not clear whether the procedures currently used to license third parties and to evaluate home studies completed outside the provincial ministries have eliminated such conflicts. Current home study practices should therefore be examined with a view to ensuring that the expectations of child welfare officials and advocates in the sending countries are being met by all of the provinces.

Similarly, provincial legislation does not present a clear picture of current record keeping and exchange of information procedures governing international adoption. Domestically, the issues of "open" adoption and voluntary disclosure of adoption information have been prominently debated for several years. It is likely that this debate will soon reach the international arena as international adoptees begin seeking information on their origins. It would therefore seem prudent for Canadian officials to consult with the sending countries to ensure that every effort is made to retain identifying information on all of the parties to an adoption and that agreements are established regarding the exchange and disclosure of such information.

ADOPTIONS COMPLETED OUTSIDE CANADA

The potential for abuse of child welfare standards has been greatest where adoptions are completed outside of Canada and thereby are not monitored by either provincial child welfare officials or the courts (with the exception of Québec, which is vigilant in both

respects). Indeed, in countries with no adoption laws or with inadequate legislative provisions adoptions may take place without the supervision of child welfare officials in either the child's or the adoptive parents' countries.

At present, Canada, with the exceptions of Québec and Manitoba, seems to have fallen into a situation of minimal control over adoptions granted abroad. Immigration regulations intended to ensure provincial monitoring of such adoptions were, from the start, incompatible with provincial adoption legislation, were never properly enforced, and now appear to be largely ignored by both the provinces and Employment and Immigration Canada.

The result has been that visa officers abroad have assumed full responsibility for determining "the best interests of the child", without the benefit of advice or assistance from child welfare officials in Canada or abroad. The enormity of this responsibility becomes apparent in a case such as Romania, where international adoption proceeds amid constant reports of baby trafficking. Employment and Immigration Canada is in the process of rectifying this problem by establishing a regulatory process for oversight of the adoption process abroad by an independent agency concerned with the welfare of the child.

As the first articulation of federal policy respecting adoptions completed abroad, the new immigration regulations should respect the spirit of policies promulgated by both the U.N. and the Hague Conference on Private International Law. The initial deliberations of the Hague Conference suggest that receiving countries may in the future have to accept responsibility for ensuring the fitness of their nationals to adopt. It may therefore be necessary for the provinces to participate in, or to designate responsibility for, home studies completed for parents adopting abroad. In the same context, it may be necessary for Canada to refuse to work with countries which ignore the advice of child welfare officials in approving adoption decrees.

PRIVATE ACTORS

This paper has suggested that the activities of private actors, such as Families for Children, in the sphere of international adoption are not well understood. If, in fact, this and other groups have the capacity to replace the National Adoption Desk as the agency which processes international adoption applications in some provinces and with specified sending countries, we need to know more about their policies, procedures and public accountability. Once again, the expectations of the sending countries regarding Canadian practices and the extent of government involvement in international adoption should receive primary consideration.

In the same vein, limited resources have precluded a full consideration in this paper of the role of International Social Service (ISS) Canada in international adoption. ISS is a private international network which links the social services of various countries to assist individuals and families whose problems cross frontiers. The network has 16 autonomous National Units, of which Canada is one. Although ISS is not an intercountry adoption agency, it is called upon by clients to provide information on adoption legislation and procedures in foreign countries, to act as an intermediary across countries and to provide both home studies and follow-up reports (Ngabonziza 1988, 10-11). In Canada, ISS was the official national agency responsible for international adoption prior to the establishment of

the National Adoption Desk; the agency retained responsibility for coordinating intercountry adoption by relatives until 1982. The current role of ISS Canada relative to the "typical" international adoption procedures outlined in this paper deserves further examination.

The activities of organizations licensed to do home studies and/or to process adoption applications also merit further study. The alleged fraudulent practices of a licensed agency in Québec have already been the source of public controversy. Québec's experience may be instructive for Ontario, which licenses private agencies to conduct international adoptions, and for provinces where licensing may in future receive consideration as a result of pressure from parents' organizations for improved access to international adoption. The relative cost of using licensed and private agencies as opposed to public resources deserves special attention in light of concern that international adoption is a privilege restricted to middle- and upper-class adopters by virtue of the high costs associated with travel and various fees abroad. The availability of high-priced private services in some provinces could make international adoption even more exclusive.

GAPS IN CURRENT KNOWLEDGE

In addition to the procedural issues mentioned above, there are several issues which require further research if we are to have a better understanding of the practice of international adoption in Canada. A systematic survey of the views of adoptive parents' organizations, professional social workers, and representatives of international non-governmental organizations, would clarify many of the ambiguities surrounding the practice.

Similarly, the special characteristics of the Québec case deserve a more in-depth study. It would be useful to know, for example, why Québec chose to enforce strict regulation of international adoption in the face of more lenient practices elsewhere in Canada. The outcome of Québec's approach is unclear; the incidence of international adoption is higher than elsewhere in Canada, yet parents complain of longer delays in the processing of adoption applications. Bill 70 (1990) was intended to reduce waiting lists and delays, as was the instruction to provincial immigration offices abroad to obtain better information on potential sources of children for adoption. Both of these recent initiatives should be evaluated.

The review of the literature presented in part two of this paper suggests a dearth of Canadian research on the adjustment of international adoptees. Canadian scholars have not replicated the adjustment studies produced in the United States, Britain and elsewhere in the past two decades. There is a wide array of country-specific studies, which were not reviewed for the purposes of this paper, but which could suggest appropriate methodologies for an examination of the aftercare requirements of the international adoptive family or an assessment of the relative incidence of adoption breakdown, to give just two examples.

Most important, the Canadian adoption literature has not explored the implications of the broad socio-political issues raised by theorists in other parts of the world. Ideally, a consideration of the issues raised by scholars such as Benet and Melone should precede any discussion of procedural reform which may take place in Canada. Ongoing discussion of international adoption at the U.N. and Hague Conference on Private International Law has touched on some of these broader issues. Some time ago, Canadian practitioners and policy makers were forced to address the cultural and political implications of the

transracial adoption of native Indian children by non-native families. International adoption has not yet been subject to the same type of scrutiny. As was the case in Canada's internal consideration of adoption of native Indians, international adoption practices in Canada should not be revised without active consultation with those governments and non-governmental organizations responsible for protecting the interests of the international adoptee.

Following an assessment and reform of our own policies and procedures respecting international adoption, the federal government should endeavour to monitor international developments in baby trafficking, international viewpoints on children's rights, and international adoption procedures in other countries. As a principal actor in the world-wide movement of adopted children, Canada should play an active role in international discussion of these and related issues.

ENDNOTES

1. Article 21 of the United Nations Convention on the Rights of the Child states:

   Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

   (a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;

   (b) recognize that intercountry adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;

   (c) ensure that the child concerned by intercountry adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

   (d) take all appropriate measures to ensure that, in intercountry adoption, the placement does not result in improper financial gain for those involved in it;

   (e) promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs (United Nations, General Assembly, 1989).

2. Private adoption, in this context, is defined as the adoption of a non-related child who is not the subject of a permanent guardianship order or agreement, through a process which involves the use of third party intermediaries.

3. Prior to 1990, children adopted outside of Canada could only be sponsored as dependant children if the adoption was completed before the child turned thirteen. In October 1990 the Minister announced the removal of this age restriction (Canada, Employment and Immigration 1990).

4. Technically, the *Immigration Regulations* describe a fourth type of potential international adoptee. Within the family class eligible persons may sponsor designated relatives who are orphaned, under eighteen years of age, and unmarried. These children may or may not be legally adopted abroad or in Canada.

5. The Citizenship Act states that a person born outside Canada is a citizen if "...at the time of his birth one of his parents, other than a parent who adopted him, was a citizen" (Section 3(b)).

REFERENCES

Alberta. 1988. *Child and Family Services Act*. Queen's Printer for Ontario.

Altstein, Howard. 1984. "Transracial and Intercountry Adoptions: A Comparison". In *Adoption: Current Issues and Trends*, ed. by Paul Sachdev. Toronto: Butterworth and Co. (Canada) Ltd.

Bagley, Christopher and Loretta Young. 1980. "The Long-term Adjustment and Identity of a Sample of Intercountry Adopted Children." *International Social Work* 23(3):16-22.

Beaujot, Roderic. 1989. "Immigration and the Population of Canada." Prepared for the Research Division, Employment and Immigration Canada. London: University of Western Ontario.

Benet, Mary Kathleen. 1976. *The Politics of Adoption*. New York: The Free Press.

British Columbia. 1979. *Adoption Act*. Victoria: Queen's Printer for British Columbia.

Canada. Employment and Immigration. 1990. "Backgrounders to the Annual Report to Parliament. Immigration Plan for 1991-1995." Ottawa: October.

Canada. Employment and Immigration. 1989. "Immigration Quarterly Statistics 1988 Preliminary." Ottawa: Employment and Immigration, Immigration Statistics Division.

Canada. Employment and Immigration. Various dates. *Immigration Manual*.

Canada. Employment and Immigration Advisory Council. 1990. "Immigration Levels 1991-95." A Policy paper presented to the Minister of Employment and Immigration. Ottawa: September.

Canada. Employment and Immigration Advisory Council. 1988. *Perspectives on Immigration in Canada. Final Report*. A Report presented to the Minister of Employment and Immigration. Ottawa: Supply and Services, August.

Canada. Health and Welfare. 1989. *Charting Canada's Future. A Report of the Demographic Review*. Ottawa: Supply and Services.

Canada. House of Commons. 1985. Minutes of Proceedings and Evidence of the Standing Committee on Labour, Employment and Immigration. Second Report. 1st session, 33rd Parliament. Issue no. 20, April 1.

Canada. National Adoption Desk, Health and Welfare. 1988. "Role of the National Adoption Desk in International Adoption." Ottawa, July. (mimeo)

Canada. National Adoption Desk, Health and Welfare. Various dates. Country fact sheets: Hong Kong, Philippines, St. Vincent, Korea, El Salvador, India, Brazil, Colombia. (mimeo)

The Citizen (Ottawa). 1988. "Babies for Sale." November 6, p. D1.

Cole, Elizabeth S. 1984. "Societal Influences on Adoption Practice." In *Adoption: Current Issues and Trends*, ed. by Paul Sachdev. Toronto: Butterworth and Co. (Canada) Ltd.

Curtis, Margaret. 1989. Child and Family Support, Department of Community Services, Manitoba. Telephone interview. April 26.

Daniel, Pamela. 1991. Case Coordinator, National Adoption Desk, Health and Welfare Canada. Interview. February 12.

Daniel, Pamela. 1989. Case Coordinator, National Adoption Desk, Health and Welfare Canada. Interview. May 9.

Drysdale, Susan M. 1989. Coordinator of Adoption Services, Department of Community Services, Nova Scotia. Telephone interview. April 14.

Eichler, Margrit. 1988. *Families in Canada Today: Recent Changes and their Policy Consequences*. Second Edition. Toronto: Gage Educational Publishing Company.

Feigelman, William and Arnold R. Silverman. 1983. *Chosen Children: New Patterns of Adoptive Relationships*. New York: Praeger Publishers.

Ferguson, Evelyn B. 1984. "The Real Cabbage Patch Kids: An Examination of the Canadian Private Adoption System." Occasional papers in social policy analysis no. 2. Toronto: Ontario Institute for Studies in Education, January.

Foot, David K. 1991. Interview. March 19.

Foot, David K. 1986. "Population Aging and Immigration Policy in Canada: Implications and Prescriptions." Ottawa: Employment and Immigration.

The Gazette (Montreal). 1988a. "Stop impeding adoptions." March 21.

The Gazette (Montreal). 1988b. "Province is urged to untangle snags in adoption system." September 24.

Goldschmidt, Ilse. 1986. "National and Intercountry adoptions in Latin America." *International Social Work* 29(3): 257-268.

Hague Conference on Private International Law. Permanent Bureau. 1990. "Conclusions of the Special Commission of June 1990 on intercountry adoption." Adoption Prel. Doc. No 3, August.

Hepworth, Philip H. 1980. *Foster Care and Adoption in Canada*. Ottawa: Canadian Council on Social Development.

Hersak, G.A. and S. Francolini. 1987. *Immigration of Children as a Response to Demographic Concerns*. Population working paper no. 3, Policy and Program Development, Employment and Immigration Canada. Ottawa: Supply and Services.

Hoksbergen, R.A.C. *et al*. 1987. *Adopted Children at Home and School*. Lisse.

Kadushin, Alfred. 1984. "Principles, Values and Assumptions Underlying Adoption Practice." In *Adoption: Current Issues and Trends*, ed. by Paul Sachdev. Toronto: Butterworth and Co. (Canada) Ltd.

Lea, Anne. 1989. Director, Adoption Options, Alberta. Telephone interview. February 27.

Lipman, Margaret. 1984. "Adoption in Canada: Two Decades in Review." In *Adoption: Current Issues and Trends*, ed. by Paul Sachdev. Toronto: Butterworth and Co. (Canada) Ltd.

MacDonald, John A. 1984. "Canadian Adoption Legislation: An Overview." In *Adoption: Current Issues and Trends*, ed. by Paul Sachdev. Toronto: Butterworth and Co. (Canada) Ltd.

Maclean's. 1990. "A Cruel Legacy: Canadians Right to Adopt Romanian Orphans." August 20.

Manitoba. 1985. *The Child and Family Services Act*. Queen's Printer for the Province of Manitoba.

Markland, Rita. 1989. Director, International Social Service (ISS) Canada. Telephone Interview. October 26.

Melone, Thomas. 1976. "Adoption and Crisis in the Third World: Thoughts on the Future." *International Child Welfare Review* 28 (March): 20-25.

Montreal Daily News. 1988. "Adoption agency probed." September 24.

New Brunswick. 1980. *Child and Family Services and Family Relations Act*. Queen's Printer for New Brunswick.

Newfoundland. 1972. *Adoption of Children Act*. St. John's: Queen's Printer.

Ngabonziza, Damien. 1988. "International Social Service: Its Structure and Role in Intercountry Adoption." In *Support of Children in Need and Intercountry Adoption*. Documentation of the Special Interest Meeting of International Social Service, Berlin, 3 August.

Northwest Territories. 1961. *Child Welfare Ordinance*. Ottawa: Queen's Printer for Canada.

Nova Scotia. 1976. *Children's Services Act*. Queen's Printer for Nova Scotia.

Ontario. 1984. *Child and Family Services Act*. Queen's Printer for Ontario.

Pascall, Gillian. 1984. "Adoption: perspectives in social policy." In *Adoption: essays in social policy, law and sociology*, ed. by Philip Bean. London: Tavistock Publications.

Prince Edward Island. 1974. *Adoption Act*. Charlottetown: Queen's Printer.

Québec. Conseil des Communautés culturelles et de l'Immigration du Québec. 1989. *L'Adoption Internationale au Québec*. Québec, octobre.

Québec. Ministère des Communautés culturelles et de l'Immigration. 1990. *Let's Build Québec Together. A Policy Statement on Immigration and Integration*.

Québec. National Assembly. 1990. Bill 70: An Act respecting adoption and amending the Youth Protection Act, the Civil Code of Québec and the Code of Civil Procedure. 34th legislature, 1st session. Québec Official Publisher.

Québec. National Assembly. 1987. Bill 21: An Act respecting adoption and amending the Youth Protection Act, the Civil Code of Québec and the Code of Civil Procedure. 33rd legislature, 1st session. Québec Official Publisher.

Resnick, Rosa Perla. 1984. "Latin American children in intercountry adoption." In *Adoption: essays in social policy, law and sociology*, ed. by Philip Bean. London: Tavistock Publications.

Samuel, T. John. 1990. "Immigration of Children as an Element of Immigration Policy." Paper presented at the joint session of Canadian Population Society and Canadian Sociology and Anthropology Association, May 30-June 1.

Saskatchewan. 1978. *Family Services Act*. Regina: Queen's Printer.

Scully, Anne. 1989. Program Supervisor, Adoption Services, Alberta Social Services. Telephone interview. April 25.

Seward, Shirley B. 1989. "Policy Context of Immigration." In *Policy Forum on the Role of Immigration in Canada's Future*, ed. by Charles M. Beach and Alan G. Green. Kingston: Queen's University.

Simon, Rita J. 1984. "Adoption of black children by white parents in the USA." In *Adoption: Current Issues and Trends*, ed. by Paul Sachdev. Toronto: Butterworth and Co. (Canada) Ltd.

Simon, Rita J. and Howard Altstein. 1981. *Transracial Adoption: A Follow-up*. Lexington: D.C. Heath and Company.

Smith, Leslie Mann. 1988. "Babies from Abroad." *American Demographics*. (March): 38-56.

Statistics Canada. 1990. *Population Projections for Canada, Provinces, and Territories 1989-2011*. Catalogue no. 91-520. Ottawa: Supply and Services.

Tahk, Youn Taek. 1982. "Social Welfare and Adoption in Korea." Paper presented in Frankfurt, Germany, May 17-19, 1982. Cited by Howard Altstein 1984.

United Nations. General Assembly. 1989. Convention on the Rights of the Child. A/RES/44/25, 5 December.

United Nations. General Assembly. 1987. Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally. A/RES/41/85, 6 February.

VanderPol, Hank. 1989. Coordinator, Family and Children's Services Division, Ministry of Social Services and Housing, British Columbia. Telephone interview. April 24.

van Loon, Hans. 1987. "Note on the Desirability of Preparing a New Convention on International Co-operation in Respect of Intercountry Adoption." Preliminary Document No. 9 for the attention of the Special Commission of January 1988 on general affairs and policy of the Hague Conference on Private International Law. The Hague, December.

Ward, Margaret. *The Adoption of Native Canadian Children*. Cited by Margaret Lipman 1984.

Webber, Joan. 1989. Private Adoption Officer, Ministry of Community and Social Services, Ontario. Telephone interview. April 25.

White, Derek. 1989. Director, National Adoption Desk, Health and Welfare Canada. Interview. May 9.

Yukon Territory. 1984. *Children's Act.*